



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA  
October 1, 2024 at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

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Present: President Sullivan, Councilors Basiliere, Hobbs-Everett, Michitson, Ferreira, Jordan, Lewandowski, Toohey, LePage and Rogers

Remote: McGonagle

Absent: None

City Clerk – Kaitlin M. Wright

*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

*Vice President Jordan stated he reviewed the minutes and finds them in order.*

*Motion to approve by Vice President Jordan, Second by Councilor Michitson*

*Yeas 11, Nays 0*

**PASSED**

Approval of Minutes of prior meeting held on 9/24-President Sullivan explained these minutes were not yet ready for review. Councilor Lewandowski is assigned those minutes when ready for review

4. Assignment of the minutes and review for the next meeting

*President Sullivan assigned the minutes to Councilor Toohey*

15. Unfinished Business of Proceeding Meetings:

15.1 Document 88-B; Ordinance re: Vehicles and Traffic – Amend Chapter 240 to include Civilian Traffic Control Flaggers -filed 9.19.24

Mayor Barrett appeared before the council stating the city is unable to fill all the details that the



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---

construction projects need. This is an effort to expand the pool of people to work those details.

Chief Pistone appeared before the council regarding the ordinance that was placed on file for 10 days. As we know there is a lot of construction going on in the city. We can't fill the details even with retirees and out of town officers. I spoke with the Mayor and she saw the merit and we put together an ordinance where we can hire civilian traffic flaggers. In 2008 Governor Deval Patrick put forth legislation calling for civilian flaggers but due to prevailing wage laws and collective bargaining agreements in place prevented the use of this. The unions have agreed, officers would still have first ability to work these. We could put an RFP out to flagging companies and make sure they meet the provisions of this ordinance by way of training, insurance for liability. There is also a provision this is for city employees that are not police officers and also flagging companies. The end result is to have orderly traffic at these construction sites.

**Councilor Basiliere:** Would it be worked into this that the city employees will have second right of refusal.

**Chief Pistone:** If such a unit is formed or exist it would go to them otherwise it would go to the flagging company.

**Councilor Basiliere:** I would prefer other union members who work in the City would have their preference behind the police officers.

**Chief Pistone:** This certainly opens the door for the formation of that.

**President Sullivan:** The unions are not opposed to this.

**Chief Pistone:** That is correct. Their rights are still protected and they see the merits.

**Councilor Ferreira:** Are any of the flagging companies local? Would that provide opportunity for our residents to hop in?

**Chief Pistone:** According to the City solicitor we put out an RFP and anybody would be welcome to bid on that.

**Mayor Barrett:** In our RFP, I believe we could ask for local preference.

**Chief Pistone:** There is a whole lot of CMRs that is mandated by the state, the type of training and qualifications.

*Motion by Councilor Michitson to approve, Second by Councilor Rogers.*

*Yeas 11, Nays 0*

*PASSED*

#### 10. Hearings and Related Orders

10.2 Document 86; CCSP-24-7; Attorney Michael Migliori representing Snow Cassell LLC, requests to construct a 3-family residential building at Pilling and Boston Street; Assessors map: 420, block 314, lot 3- Comments from City Departments are included. Communication from Planning Director, William Pillsbury, citing several conditions as they relate to this project—Continued from September 24, 2024 - *related communication from Attorney Michael Migliori for applicant Michael Cassell, requesting to withdraw this special permit application.*

**President Sullivan:** I will open this public hearing in a moment. Thank you, sir, you are here for an update.

**Michael Cassell,** 16 Douglas Street addressed the council. We are withdrawing both of the special permit applications.

**President Sullivan:** You do understand that you have to withdraw with or without prejudice. With prejudice is you would not bring the same project back to that location and without prejudice is you might



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---

want to bring something back to that location.

**Michael Cassell:** Without prejudice.

**President Sullivan:** The applicant would like to withdraw this application without prejudice.

*Motion by Councilor Basiliere, Second by Councilor Rogers.*

**President Sullivan,** Madam Clerk please call the roll. I will close this hearing.

*City Clerk Wright: Vice President Jordan-yes, Councilor Basiliere-yes, Councilor Hobbs-Everett-yes, Councilor Michitson- yes, Councilor Ferreira - yes, Councilor Lewandowski-yes, Councilor Toohey- abstained, Councilor McGonagle - yes, Councilor LePage-yes, Councilor Rogers-yes and President Sullivan-yes*

*Yeas 10, Nays 0, Abstention, 1*

*PASSED to withdraw without prejudice*

10.3 Document 87; CCSP-24-8; Attorney Michael Migliori representing Snow Cassell LLC, requests to construct a 3-family residential building at Pilling and Boston Street; Assessors map: 520, block 3 14, lot 4- Comments from City Departments are included. Communication from Planning Director, William Pillsbury, citing several conditions as they relate to this project—Continued from September 24, 2024 - *related communication from Attorney Michael Migliori for applicant Michael Cassell, requesting to withdraw this special permit application.*

**President Sullivan:** I will open the hearing.

**Michael Cassell,** 16 Douglas Street addressed the council. We are withdrawing without prejudice.

**President Sullivan:** I will close the hearing.

*Motion by Councilor Basiliere, Second by Vice President Jordan.*

**President Sullivan,** Madam Clerk please call the roll.

*City Clerk Wright: Vice President Jordan-yes, Councilor Basiliere-yes, Councilor Hobbs-Everett-yes, Councilor Michitson- yes, Councilor Ferreira - yes, Councilor Lewandowski-yes, Councilor Toohey- abstained, Councilor McGonagle - yes, Councilor LePage-yes, Councilor Rogers-yes and President Sullivan-yes*

*Yeas 10, Nays 0, Abstention, 1*

*PASSED to withdraw without prejudice*

**5. Communication from the Mayor**

5.1 Mayor Barrett submits a home rule petition to increase the Board of Health membership to five members – related communication from Lisa, Mead, City Solicitor 91C

5.1.1 Home Rule Petition – to authorize the Mayor of the City of Haverhill to submit special legislation to increase the membership of the Board of Health from three to five members 73J

**Mayor Barrett** appeared before the council stating the Chair of the Board of Health, Peter Carbone requested an expansion of the board. During COVID it showed itself that a three person board is tricky. This is an effort to accede to his wishes. It makes sense to me also to have a larger board. Because of MGL we have to petition to change it. This is the first step; I recommend you do.

**President Sullivan:** We did have a constituent who petitioned to speak on this item. I did grant them the



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---

courtesy.

**Rachel Cohen**, 365 Broadway addressed the council. I was wondering in addition to the two members of the Board of Health we can have set guidelines on how we are appointing these people. Their role in the city affects our day to day lives. While we have a doctor, nurse and Peter who previously owned a dry-cleaning business. At a Board of Health meeting in July I was asking pinpointed questions about chickens, and they did not have any experience with chickens. I was wondering if we could add guidelines on how the Mayor appoints members. I would hope to see some background, education or previous work experience that would better round the appointed positions.

**President Sullivan:** I will say the scope of this matter is just asking the legislature increasing the membership to five. I would say if we wanted to increase the qualifications to be on this board that would also have to be done through the state. The state also sets the criteria. We would have to petition them at a different time and work with the state legislative delegation to increase the standards. We have to rely on the state, the state law dictates and controls the board.

**Rachel Cohen:** I reached out to the Mayor's Office in July and asked what the criteria was to be on the board. The information that I was given was there needed to be one physician and you have to be in good standing with the city. When I inquired what that meant and that was you had to pay your taxes.

**President Sullivan:** I think that was over-simplified answer. I think they should not have committed a crime, subject to a cori check, which I believe they are to serve on boards.

**Councilor Lewandowski:** No where in our code does it say someone has to pay taxes and just be in good standing. Mass General Law says they should be appointed by the Mayor, that involves vetting doing whatever the internal mechanisms that the city does, interview, cori checks but at the end of the day our code the Mayor can appoint to boards without confirmation of the city council.

**Mayor Barrett:** Non-confirming positions.

**Councilor Lewandowski:** Does that include the Board of Health?

**Mayor Barrett:** I believe that is confirming.

**Councilor Lewandowski:** That would come back to us.

**Mayor Barrett:** They all do even as a courtesy. I think most on the council know Peter Carbone and if presented would vote for him. He has decades of service with the community. He has served on the Board of Appeals, Planning Board. He runs church events, basketball events, baseball teams. He has a breath of knowledge that is beyond owning a dry cleaners. Mayor Fiorentini appointed to many boards during his tenure. Peter has served ably and proudly and with devotion to the city. I would be happily appoint him again. I did in February to serve a three-year term. When we get these other two positions I am thinking medical people. The Board of Health relies on the CDC, our own Board of Health employees, Karen Devlin is an animal expert, farm expert. She is still on staff for animal issues. They don't work in a vacuum, they work with our employees and state agencies. They are going by codes and rules. I think a man like Peter is more than capable.

**Councilor Lewandowski:** I don't have any disagreement with what you are saying. I am just trying to clarify for the person here tonight, I agree this should be expanded, if we don't have a quorum that's obviously an issue. There's always things that come up that people need to attend to. It's also true that it is at your discretion to hire these people, because it is a confirming appointment it comes back before us. If we had an issue with who you are recommending that would be the time to confirm or not confirm. In terms of general qualifications the General Law is pretty general it just states that it has to be comprised of one physician. We as a city can't put in qualifications without petitioning the state to change their qualifications. At the end of the day, it is whether or not we confirm appointments recommended by the Mayor and the qualifications those individuals possess.



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---

**Mayor Barrett:** These are volunteers.

**Councilor Lewandowski:** It is non-stipend position.

**Vice President Jordan:** I agree with everything Councilor Lewandowski said. I do agree with expanding the board from three to five. I do think it would be good if the people the Mayor will be suggesting do have some background related to health. That said, Peter Carbone, all the reasons the Mayor enumerated, who is a wonderful individual who has volunteered his time in the city in multiply capacities. He seems like a fine reasonable person to be on there. I think it would be a good idea to have people with a background of health, board of health, medical, whatever that happens to be. That makes sense to me. We can't make stipulations but I would hope the Mayor would consider this when she makes recommendations to us.

**Rachel Cohen:** My clarifications, my personal feelings about who is currently on there aside, I am just asking for transparency as somebody who has been to one Board of Health meeting, and I was asking questions and they kept telling me that they didn't know the answer because they didn't have experience. I am not expecting everybody to have experience with everything. Just as a citizen here that has to deal with them. I am looking for some transparency going forward. If that is petitioning the state, I am not opposed to that. I would think if I am looking for transparency there are probably other people or maybe they don't know. Before my Board of Health meeting, I didn't know.

**President Sullivan,** thank you, Rachel. Can we have a motion and a second to approve this home rule petition. Motion by Councilor Rogers and a second by Councilor LePage. Madam Clerk will you please call the roll.

*Motion by Councilor Rogers to approve, Second by Councilor LePage.  
Yeas 11, Nays 0* **PASSED**

5.2 Mayor Barrett submits for approval an Order to Accept Amended Rules and Regulations for special permits when City Council sits a special permit granting authority – Related communication from Lisa Mead, City Solicitor 91D

5.2.1. Order- Amendment and Replacement of Rules and Regulations for when the City Council sits a special permit granting authority. 92B

**Mayor Barrett** appeared before the Council and stated on the back and forth of the different versions of the ordinance you passed last week. Lisa realized the wrong ordinance was placed before you last time. This is the corrected version. Essentially, stays the same it's just clarified and some things that were redundant were eliminated.

**President Sullivan:** Motion by Councilor Michitson, second by Councilor Lewandowski. Madam Clerk please call the roll.

*Motion by Councilor Michitson to approve, Second by Councilor Lewandowski.  
Yeas 11, Nays 0* **PASSED**

- 6. Communications from Councilors to introduce an individual(s) to address the Council
- 7. Public Participation – Requests under Council Rule 28
- 8. Communications and Reports from City Officers and Employees



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA  
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In-Person/Remote Meeting**

---

8.1 City Clerk, Kaitlin Wright submits Warrant for 2024 State Election to be held on Tuesday, the fifth day of November 2024 from 7 am to 8 pm. 3-F

**City Clerk Kaitlin Wright** addressed the council. I am just submitting the warrant for the election, but I did want to go over some pertinent dates and timelines for the voters in Haverhill, so they are aware of them. The deadline to register to vote for this upcoming election is October 26<sup>th</sup> at 5:00 pm. That is a Saturday, our office will be open until 5:00 pm. You can also register online as well. The deadline to request a mail in ballot is October 29<sup>th</sup> at 5:00 pm. That is a Tuesday. Our early voting period will run for two weeks, starting Saturday October 19<sup>th</sup> and running to Friday November 1<sup>st</sup>. We will have Saturday and Sunday hours both weekends 10 am to 4 pm. Our regular hours Monday through Friday will be 8-4, except on Thursdays we will have a late day both weeks 8 to 8. Again, the election is on November 5<sup>th</sup> and polls open at 7 am to 8 pm. If you are voting by mail, it is really integral that you are signing the inner ballot envelope. If you do not sign it your ballot will be rejected. Please read the instructions that come in the kit. If you are voting by mail, please return your ballot to us as soon as possible. Don't leave it on your kitchen counter. Fill it out and return it as soon as possible. All fifty states are voting right now and the post office is going to be extremely taxed. We have a drop box located on the Main Street side of the building across from the Dole, Child and Shaw Funeral Home. You can deliver it directly to our office if you are concerned about the timeline of getting back to us from the post office. I would encourage you to use our office or the dropbox. We received our early ballots from the state. We will begin mailing the ballots as soon as tomorrow. We hope to have the full mailing done within the week. We have about 10,000 ballots that have to get out. If you have put in a request you should have yours in the next week or so. You can still make requests up until the 29<sup>th</sup>. That's my election information.

**President Sullivan:** Does this require our approval?

**City Clerk Kaitlin Wright:** Yes, you will need to vote on the warrant.

**President Sullivan:** Motion to approve.

*Motion by Vice President Jordan to approve, Second by Councilor LePage.  
Yeas 11, Nays 0 PASSED*

**9. Utility Hearing(s) and related order(s)**

9.1 Petition from Mass Electric Co. d/b/a National Grid requests to construct a line of underground electric conduits on Amesbury Line Road as shown on plan WR#26764118 – Hearing October 29, 2024 96

**President Sullivan:** A motion to hear this on the 29<sup>th</sup>. Madam Clerk please call the roll.

*Motion by Councilor Rogers to approve, Second by Toohey.  
Yeas 11, Nays 0 PASSED*

**10. Hearings and Related Orders**

10.1 Document CCSP-23-16; Applicant Christopher Anderson of Hannigan Engineering Inc. for PI Solar Inc. requests to build/install large scale solar field off Lovers Lane – Department Comments are included.

**President Sullivan:** I will open this hearing and remind everyone that I will let the applicant make their



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CITY COUNCIL AGENDA  
October 1, 2024 at 7:00 PM**

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In-Person/Remote Meeting**

---

presentation and I will ask if others are in support of this project. They will be allowed to speak for 3 minutes and then we will ask if anyone is opposed to this project and they will be allowed to speak for 3 minutes and then there will be time for the applicant to rebut that might be said by the opposition, as well as a final rebuttal by the information that was said by the applicant.

**Attorney Robert Harb**, my office is at 40 Kenoza Avenue addressed the council on behalf of the applicant. Also, with us tonight is one of the trustees, Andrew Gagnon. Part of our presentation will include a presentation by Chris Anderson of Hannigan Engineering. He did the original online permitting application. I am going to go over a couple of matters that the board may already be familiar with. There are a number of neighbors here that probably have some concerns and questions. I don't think they really understand the project, so perhaps after Chris gets through going through the slides and plans they might feel more comfortable. This project already went through developmental review with the city. We have answered any concerns that the city departments needed or brought up. You will notice that the comments filed with this petition in the portal, there's none against. Most importantly I point out Bill Pillsbury, Planning Director's comment that he recommends this project saying it is appropriate and told me today that it is the highest and best use of the property. I was going to bring you a bunch of pictures from my famous phone, but all you can see is trees and I really couldn't describe the area to you. Chris will explain how it is hilly. How this is the best use of the property. He will explain to you that there will be a buffer of trees, not only a fence to surround the property but he's leaving trees around it. That might compensate some concerns the neighbors might have. I was also advised by the owner that is really isn't a property for residential development. He tells me two were tried in the past and failed. If you look at the topography of the site, this is really a site that's appropriate for the solar plant. So, to go back legally to our zoning ordinance, section 7.8.3 of our zoning code permits any projects in this district is subject to a special permit. I believe Chris set forth all of the specific requirements of the special permit in his letter but I am going to go through them quickly. 10.4.21 Does the community need this proposal, as you know, Mass State Start is encouraging renewable energy. This is going to be a good source of renewable energy, not carbon based fuels. We are going to be tied into the grid. Someone mentioned are the local people next door going to get a discount in their bill because they are tied into the grid, no, but we are supplying energy to the whole community through National Grid that will help the supply of energy if there is a peak time. Why else is this important to the community. You may have remembered that you voted on allowing us to withdraw from 61A. The 61A withdrawal has an estimated rollback tax of \$20,000. We are already brining \$20,000 in. If you approve this project the next step besides getting a building permit and getting all the final approvals from the department is to work on pilot agreement tax agreement an amount of money to be paid to the city in lieu of taxes. That's going to bring into the city \$1,000s of dollars annually for a lengthy term. Whereas, if we kept this property under 61A the city wasn't getting all this money. Indirectly we are helping the entire community by giving additional revenue to the city through the pilot program, the money the city got back on the rollback taxes. Part 4.2.2 says traffic. All the traffic is going to go in off of Lover's Lane. Its not going to affect any other roads. There is not going to be much traffic as Chris said because maybe once or twice a month there will be inspections of the property. Nobody is going to go there and there is nobody on site. There's no buildings being built so somebody can stay there and watch the property. We anticipate that you are not going to see any traffic and no pedestrian traffic. So, I think we meet that requirement. We don't need parking because there is nobody going there to park other than maybe the road that will be built for safety reasons around the site. When they go in they will use the road to inspect the site to make sure its oaky. Utilities and adequacy of public services, we really aren't using any utilities there. Other than we may be coordinating with National Grid with some electricity. We are not using any water. We have gone



**CITY OF HAVERHILL  
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**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

---

through Conservation, so I think that is important. We already have a recorded Order of Conditions. Conservation has approved the project as you see it, as it will be presented by Chris. We have met all of their requirements when they issued the order. The stormwater is being managed onsite appropriately. The character of the neighborhood, I think is going to be important is you are not going to know this is there. Trees will surround it, a fence for security is there, its located off the road going up to New Hampshire on Route 108. In order to get to it you have to drive off the road to go towards Lovers Lane, which is a very narrow way. Nobody will be going there, so I don't believe we are going to affect the neighborhood at all by this development. I know people thought it was a 100 acres, its not. Chris will go over how big the project is. You have all seen it on your plans which are all uploaded in the portal. Are we going to impact the environment, we are not because we have gone through Conservation and they have approved what we are doing. Fiscal impact and tax base, I have already mentioned the pilot program that we will have to have approved working with the Mayor and Assessor to pay taxes to the town. You are going to get more taxes, more money. Employment, Chris mentioned that somebody has to build this so we will be hiring people to build it. And lastly, besides the 10.4.2 items 1-6; 7.8.11 says is this really the best use of the property. I have already mentioned that the Planning Director believe that it does, the owner does, there really is no other good use to use there. I can't build houses because of the slope and topography of the property. Other than leaving it barren or just the way it is this is the best use. This is going to be something good for the ecology, something good for the green, something good that will help the need for electricity, so we do not have burnouts, black outs. I think this is a good project. As you know I have presented other projects off of Amesbury Line Road and I think it's a similar area, a tree area like that one. We are not going to disturb anybody. You are not going to see it from any place. We meet all of the requirements of the zoning ordinance, no objections from the town department heads and a positive approval from the Planning Director stating that it is the best use of the property. What I would like to ask Chris to come up and go through the plans which we had uploaded. The cable TV will help with that and now that we have a big screen TV I think the public can see better than the little plans that I have. This will show how we are going to build it, how we are going to design it, how its going to be buffered. One last thing Chris did mention to me that we meet all the zoning setback requirements of the solar and more. There's not much more we can do other than, I hate to say this but not build it. Building it is a positive thing for the city, state, for the citizens. I think it's a good use.

**Chris Anderson**, of Hannigan Engineering, 8 Monument Square, Leominster, MA addressed the council. Just to piggyback off what was previously mentioned, currently the property is moderately undeveloped and was just taken out of 61A. The majority of the property is undeveloped land with areas woodlands and grass areas. As also previously mentioned there are also areas that are jurisdictional wetlands act as well as the local wetlands ordinances as well. Those are spread out throughout the property as part of the overall design process we had to go in front of Conservation and get an Order of Conditions. I will make a special note that for all intents and purposes the mass majority of the development is outside of the areas with the noted exception of the interconnection equipment. That is adjacent to Lover's Lane if you will. Access to the site will be utilizing the existing access path. There are driveways that are currently in place that are servicing the cell tower facility that is off the property itself. We have obtained cross easements to gain access to the property. Effectively the driveways will extend all the way up through the majority of the development. That is how we will build off the solar fields itself. If you look at the page in front of you, we have two areas of solar at least on this page right now. For the purpose of design and conversation we have two areas of solar. Site A which is located on the larger parcel which is approximately 107 acres. Site B-C which is located on a smaller parcel of land of approximately 19 acres of land. Effectively site A is located on the top portion of the site on the page that you see now. The land





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---

will be maintained from a grading perspective, we do note there will be some grading for the stormwater structure. The general topography of the land is conducive to the installation of solar panels themselves. Earthwork within the actual field itself will be limited to eliminating the stumps, grubbing it and smoothing out the ruts. The total area of disturbance of site A will be approximately 16.8 acres. It's a small portion of the overall property. We are maintaining the required setbacks for the field itself. The entire field will be surrounded by a chain-link fence for security purposes. We will have several access doors in order to gain access throughout the development. Site B will be generally smaller in nature as shown here. It is located further south from site A. Again, a little bit more grading in order to smooth out the topography. All and all there will be approximately 6.4 acres of overall disturbance to install this field. As previously mentioned, there really is no need for other utility connections for the site because there really are no construction besides the solar arrays. There will be no need for water or sewer. The stormwater management system was peer reviewed through the Conservation process. We did get an approval from the peer review as well as the Conservation Commission. There were several comments that were raised, and we addressed. We will redirect some of the run-off, areas that were getting so much water previously are still getting that water to ensure there are no adverse impacts to the wetland areas throughout the site. With that being said, I know it's a broad-brush approach to the site but if there are any specific questions, I would be more than happy to answer them.

**President Sullivan:** The council will ask questions, after the public hearing is closed. Thank you for your comments. Attorney Harb is anyone else presenting tonight?

**Attorney Harb:** No there isn't.

**President Sullivan:** Is there anyone here tonight who would like to speak in support of this special permit? Is there anyone else who would like to speak in support? Dave is there anyone online? No, okay just let me know if someone weighs in. Is there anyone who would like to speak in opposition?

**Christine Kwitchoff,** 14 Colby's Lane addressed the council. Thank you for the presentation and the opportunity to speak about this proposal. While I certainly value the idea of the creation and use of solar power I am opposed to this particular project. Starting with the fact that it would be clear cutting, as I understand this and correct me if I am wrong 126 acres of forested land. To me and going back to what Attorney Harb has said that the best use is solar, I would argue that the best use is keeping it exactly how it is. It's a large expanse of contiguous open space. The value of which cannot be understated and what that means in terms of carbon sequestration, climate resiliency. There is value in it and that can't be replaced once it gone. There are countless articles and reviews over the subject of solar siting. A chorus of expert voices from conservationist to legislators are saying that Massachusetts forest are not the best place for solar. Ironically the city has recently celebrating the fact that it has a 1 million dollar grant to plant trees in the city. We recognize the value of trees, so it's quite ironic to me that we would be removing a 126 acres of trees, only to put 1 million dollars into planting trees in the city. Those are my comments there. Also, looking at the deck in the city council agenda with all due respect I do have some questions about the project partners. From what I can tell about Evergreen Renewables and their statement of experience in the report that they included in the deck. They have completed 328 projects. The largest project they worked on is a 32-acre site. The majority of there projects are less than five acres. Only 32 projects in the 20 acre to 32 acre range. Clear cutting 126 acres on a hill seems to me would be a massive undertaking. My question to Evergreen and us are they ready for the task. It seems like a lot could go wrong. Again, I don't know anything about their business they served it up as a statement of experience of what they have done. It doesn't seem to be anywhere near what this project is. I am also questioning SPI solar the parent company that is based in California. While Attorney Harb did talk about the benefits of the City, I don't know to me it pales in comparison to what the benefit is going to be to the



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CITY COUNCIL AGENDA  
October 1, 2024 at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

---

parent company and to other stake holders. As far as from a more aesthetic point of view to me this is an iconic piece of property. Anyone who looks over across Tilton Swamp and looks up at Ayer Hill, the highest hill in Haverhill to me the fact that could be modified is just a sinful proposal to me. I am emotional about it because to me it is an emotional, you can't put a dollar on something that is an iconic view. There is no dollar amount on that. I would ask that everybody weigh that as well. To me the other thing we should be looking at is where else can we put solar. There are plenty of opportunities to put solar in many places. We should be mandating that it be part of any new building we do. Let's get solar going but this just does not feel like the right thing to do. Those are my comments right there. I guess my last thing is to take into account the comments that Rob Moore had made in his letter to council when 61A was being reviewed at council on July 23, 2024. Thank you.

**President Sullivan:** Is there anyone else who would like to speak in opposition to this special permit?

**Anita Toscano**, 141 Corliss Hill Road addressed the council. I don't want to go over again what Christine said but again, I am all for solar and wind but I wonder why if you were going to do anything, I don't know the ramifications if wind is anymore destructive in servicing than the solar is but on top of a big hill like that you would think wind would do it. Solar, again, what Christine said where are you putting it. Those trees are so valuable, as well as for the animals. You can complain about animals coming into the city where do you think they are going to go if you take 126 acres away from them. They are going somewhere. That is an issue. The exchange of oxygen from trees you are not going to get it any other way. To me putting it on that hill with that beautiful view, why don't you put it in front of Winnekenni Castle that faces certain directions there. You wouldn't do that to Winnekenni Castle why are you doing it to the natural resources. It doesn't make sense to me. Again, I am not well versed in this but you have landfills, how about the nice big hill on 495, at Ward Hill or some of the buildings around the area of Ward Hill. They could certainly support some solar panels there. It just doesn't make sense in this particular area, in a residential and rural and with all the new housing going on and all the things we are passing to allow more housing, more people why would you take such a wonderful piece of land and clear cut it and worry about if we get huge storms like we just had, like the places like the Blitmore Estate in North Carolina that are underwater. Why would you risk what the change is going to do with the water flow. Those are my comments.

**President Sullivan:** Would anyone else like to speak?

**Kathy Fitts**, 31 Eastland Terrace addressed the council. I of course support what the others have said. I just want to add that the proposal talks about a buffer around it and how it is all going to be great because there is going to be a buffer so we won't see it but it's the view and they can't address the view because the view is going to be fundamentally changed by the loss of valuable trees. I think that is a reason not to allow this not to go forward.

**President Sullivan:** I don't believe there is anyone left in the audience here. Is there anyone online who would like to speak in opposition. Anyone online? No. With that we will allow a rebuttal by Attorney Harb.

**Attorney Harb:** Probably the biggest point I am going to rebut is we are not clear cutting 126 acres. The gentleman owns about 112 acres but the only change in all of that land as Chris pointed out and its in his filings with the board is about 22 acres. One parcel 16 acres the other about 6 acres. We are not clear cutting 126 acres. That seems to be one of the biggest concerns that I heard. We are not. The project manager and the project developer, if you take the actual project down to 22 acres that is what they have been working on, that size. Not the 120 something. Yes, that size Christine mentioned. I think the project developers there, also as you know in order to make sure the decommissioning post approval there is a decommissioning bond that has to be put in place and bonded up front. So, if the concern is what happens



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA  
October 1, 2024 at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

---

to the developer, the town already took care of that by stating in the ordinance that you have to do a decommissioning bond. We have already submitted to you and Mr. Pillsbury, a proposal for the bond but as you know it needs to be reviewed by Mr. Pacheko, back to Bill Pillsbury and then back to the council. I don't think there is an issue with the project manager. We have an ordinance that says solar fields are allowed in every district. We have met all the requirements of the zoning ordinance. We don't own other places to put it. My applicant and owner would like to put it here. We are willing to listen if the board would like us to do something other than leave 100 acres the way they are. If you look at the totality of the project and only the portion we are affecting, I think it addresses the concerns of the neighbors. The water flow issue brought up by Ms. Toscano you have already heard about that. We have taken care of it with Conservation and all the water management on site. We are not going to create a flood or anything by the work being down there. We have no objection by the City Departments, we went to Conservation, and we worked out with Conservation, development review and we meet all the requirements. I don't think this project is as large as they think it is. I think it is appropriate for the area. Unless Chris wants to add some more. I thank you for your attention. I hope you can approve the project. I look forward to any questions you might have.

**President Sullivan:** Did one member who opposed want to do a further rebuttal. You have this last opportunity to state your remarks and then we are going to close the hearing and open it up for comments from the councilors to comment.

**Christine Kwitchoff,** 14 Colby's Lane addressed the council. I am looking for clarification on the acreage discrepancy. Can you explain if we are looking at these drawings, so site A is 107 acres of land.

**President Sullivan:** Chris is that correct?

**Chris Anderson:** Yes.

**Andy Gagnon,** 230 Lover's Lane addressed the council.

**President Sullivan:** You are the owner of the property?

**Andy Gagnon:** Yes. There are several parcels, site A is a 36 acre parcel. Site B is a 20 something acre parcel and then there is another parcel that is not included in the solar farm at all and that makes up the...then the two house lots have acres. Site A is 36 acres.

**Christine Kwitchoff:** Okay, I am just reading from the document that is provided here. It says site A is the larger of the two sites and consists of approximately 107 acres of land. Further down it says site B-C is approximately 19 acres located east of site A and consist of undeveloped woodland areas. That is how I got my math from this document.

**Andy Gagnon:** Site A is 36 acres.

**President Sullivan:** It sounds like you are both describing the same total, but you are coming to a different way of getting that total. Chris, could you help here as well, because you did say it was the larger number.

**Chris Anderson:** The 107 acres I believe is a misnomer on this plan, on this application describing the overall land nature. 107 is the cumulative land area. As Mr. Gagnon said it is approximately 36 acres of lot A. Lot B is approximately 19 acres.

**President Sullivan:** Christine does that satisfy your question?

**Christine Kwitchoff:** Thank you for that clarification. That is obviously a significant difference from the paper work that was provided. Do you have an aerial view of what this will look like? We keep looking at this in a very small piece. It would be interesting to see a larger piece and a larger scope. Giving that 3D imaging is relevant now and readily available it would be interesting to understand the impact on the view. I don't think that can be understated.

**President Sullivan:** Chris do you have an aerial?



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA  
October 1, 2024 at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

---

**Chris Anderson:** An aerial was not provided as part of the application package as it was not specifically required but we have in the past done aerial overlays if you will showing the surrounding area compared to what the project is going to look like. It is a strictly aerial view. There is no perspective views, its not like you are getting a birds eye view of the site. We do have the capacity to create an aerial plan view of the site if the council decides its necessary.

**President Sullivan:** Christine for the wrap.

**Christine Kwitchoff:** My request is that is a really important thing for us to look at and to have landmarks spelled out for us to show Tilton swamp for example, Winnekenni Castle things that are readily recognizable to make it easier to understand the document. Thank you.

**President Sullivan:** With that I will close the public hearing and councilor can we have a motion in the affirmative and a second on approving the special permit.

*Motion by Councilor McGonagle. Second by Councilor LePage*

**Councilor Lewandowski:** I just have a question whether or not this application submission is complete for us to review because now we have heard the square footage is different than what was represented. I understand that you indicated that there will be fencing there. I don't have a clear understanding of all the proposed landscaping features that are required by our special permitting process specifically fences, walls, planning areas and walks if there are going to be any the remaining lot that you are proposing. Some of the other things I am looking at is whether or not the community needs are served by the proposal. That's unclear to me. Again, there has been some general discussions by you that it being a benefit and it's a good thing and I am not that solar is not a good thing. It is a good thing Of course it is, in fact I think the governor's office put together a specific committee or commission to talk about the green energy future of Massachusetts and this certainly is part of it. However, is this of the scale that we should be taken on in this particular location. What are the community benefits. I don't know whether or not Orlando Pacheco is still involved in terms of making those determinations, energy assessments for the city. I see there was peer review of the storm water management through Conservation which is great but I would suggest this would also be ripe for a peer review of the technical, namely what is going to be the energy savings for our community. How is this going to benefit us. Why I would like to believe the only reason we are building this is decarbonize the grid. I know that these projects make money for the city. Which leads me to my last question, I am unclear as to what the payment in lieu is based on the assessed value of this particular property. I don't know how much the city is getting, but I notice that it is absent from our documentation what in fact we are getting and then on the other side of it we have to balance the benefit of the community we are getting from this particular solar project and that is unclear to me. This doesn't seem to be flushed out in the application. I understand that there isn't any strong opposition from any of the departments as Attorney Harb said, but there also isn't any strong verbiage at all. I notice that there is no review from our City Engineer, there's no review from the Department of Public Works, Rob Moore does have a statement regarding the peer review of the storm water management, but as Ms. Kwitchoff mentioned and I have it on my phone, he did present us with a letter for this property in July which makes reference to a few options that he recommended. He indicates that Greenbelt passed on the parcel and he agrees with that. However, there are other open space protection projects that would seem to be of higher priority as they also protect our water-supply, protect rare species and habitat and about several other parcels already under city ownership including contiguous greenbelt corridors. He recommends that the city negotiate a conservation restriction on the parcels and would allow existing cell tower usages there as well as the proposed solar array usage that there be a condition that the areas of



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA  
October 1, 2024 at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

---

solar array within this particular area be designated or designed in a manner that accommodates dual agricultural usage such as a hayfield. I would suggest there could have been a proposal as part of the applicant's proposal here that there is educational component. We obviously have some schools in the city that are doing a lot of interesting in terms of farming, this could have been made part of this proposal. There are kids in the city that are learning how to farm, they could use part of the solar project to learn how to do solar farming. I don't see that contained here. I don't see the balance right now as it is proposed for me to vote in favor of it. But all of that aside I think that the application is incomplete and I would suggest that it would be sent back to the departments for a more specific review, including a peer review of the technical and during that stage there is a new application that contains that information. I would consider it. At this juncture I would be voting no based on the information presented tonight.

**President Sullivan:** Thank you. Before we continue with councilors questions I will say that I communicated with Bob Ward, Public Works and John Pettis, Engineering their comments were no comment because they don't typically get involved in solar farms. That is why we did not hear from them officially. They did weigh in today and they don't typically have a roll in solar farms.

**Councilor LePage:** I am not going to say everything that Councilor Lewandowski stated, she did a great job. I just want to add, slide 1 and 2, the way I am reading this plan it is a 107 acres but I think what you are saying is that you are taking up 36 of those acres for the solar? Is that how I am looking at it.

**Chris Anderson:** Correct, it would be approximately 16 acres associated with site A and site B-C would approximately 6.4 acres.

**Vice President Jordan:** 16.8?

**Chris Anderson:** 16.8

**Councilor LePage:** That is the end of site A and on slide 2 we see the western portion of it on slide 1. So 107 acres and what you are saying is that it is only 16 you're showing in that field. It looks like a larger percentage.

**Chris Anderson:** Just for clarification cumulative land owned by the applicant is 107 acres. Site A is situated on a parcel that is approximately 36 acres of which 16.8 acres is comprised of the solar array.

**Councilor LePage:** So, what we are seeing is 36 acres on these two slides. It is 36 acres not a 107 acres.

**Chris Anderson:** Correct, if you are looking at the plan sheet right now you have the access drive that comes along in between the two parcels if you will, that is approximately where the property line is. I can't really show it to well on the plan from this point. Site A is everything north of that area of which that 16.8 acres of solar field. Site B you are seeing a small portion of it. That again, is the small eastern side of site A, if you go to the next slide that is the entirety of site B which is approximately the 6.4 acres.

**Councilor LePage:** The total amount of acres for B is, how many?

**Christopher Anderson:** 19 acres of land. If you go to the next slide it shows the remaining portion.

**Councilor LePage:** Going down, one more slide down, David.

**Christopher Anderson:** That is the remaining portion of the land.

**Councilor LePage:** It mentions 107 here I just want to make sure and get the scope of the size of this. I also agree with any more information that can be shown visually that you are able to prepare would be very helpful for all of being able to see the site view as an elevation looking up from it not just a birds eye view down and how much acreage is being taken away. Thank you.

**Councilor McGonagle:** I appreciate the comments from all. To ask for a something that is not a requirement, a 3D picture or a photograph from up above to me at this point not something that is before us. It sounds like it is approximately 25% of the land mass will be affected. I think it was mentioned that there were other places in the city that we could put these solar arrays, or solar fields that would be better. Well, this owner owns this land. It's the highest and best use and Bill Pillsbury's opinion, there's no city



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA  
October 1, 2024 at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

---

department that has a problem with it. You're going to get tax revenue. He's not chewing up all his land. I can't tell this...I am going to support it because I think they are doing everything they can do to utilize their property in a beneficial way. A way that is going to benefit us, we'll save some money on electricity. He's not stripping or clear cutting that land. That is incorrect, I intend to support it we will go from there. Thank you.

**Vice President Jordan:** Councilor Lewandowski did a fantastic job, said a lot of things that I was going to say so I am not going to repeat all the things she said, which made a lot of sense. Going back to is it in the city's best interest of community needs served by this. I don't know if I believe it is of what I have right now. I am just not quite clear on what the city is getting from it. I understand Councilor McGonagle makes a point that this is gentleman's land but this is a special permit that is before us we actually have to sign off on this. If it was a by right he could do it without coming to us. We have to answer those questions and I am still trying to wrap my head around what is in it for the city. From what Attorney Harb said we will receive \$20,000 in back taxes, which is not the right word because it is coming out of 61A we would get \$20,000 and it was mentioned that we would get some money going forward. Do we have an estimate, Mayor I don't know if you have any idea what that number would be with receiving tax revenue going forward.

**Mayor Barrett:** I believe when they do the TIF it depends on the final number of lots comes later as I recall hearing these before. That portion comes later as far as knowing what the TIF would be or the benefit to the city. That is after, when they finally build that is when we find out what we are getting. I believe that is how it has always been. You don't know the volume of wattage so you can make that determination further down the line. As far as I remember, I could have asked Orlando to be here if you had wanted it but this is a private development and its not the city's development.

**Vice President Jordan:** You mention that Bill Pillsbury is in favor of this, I didn't see that anywhere in here. Does your office have an opinion on this project?

**Mayor Barrett:** I have no opinion on it.

**Vice President Jordan:** At the moment, I am questioning if I actually believe...a point made by Ms. Kwitchoff celebrating the grant of a million dollars for trees and we're talking about clear cutting based on what I am understanding 23.2 acres, 16.8 acres in one site and 6.4 in the other so 23.2, it doesn't sound like we as a city are getting a lot for it and some of the points others have made about the impact on the environment and they seem valid to me. I again, at this point I don't know if I will be supporting it. Thank you.

**Councilor Michitson:** Just looking at another item that we have on the agenda concerning our rules and regulations for these types of special permits. The SPGA, that's us may impose conditions to mitigate any potential adverse impacts. So, I do believe that we can ask for additional information that will help us along that line. I think that is pretty clear in here. I do support Councilor Lewandowski and others have suggested. I think a peer review is definitely necessary, and I think Orlando Pacheco if possible would probably be the guy. He has done that for us in the past. I like the idea of an aerial plan view, so we can actually see what the landscape is going to look like when this array gets installed. Finally, which is not on the developer but I would like to ask the city to give us a reading on the density of solar panels that we already have in the city. I think we need to keep track of that. We don't want to become a solar panel city. I don't know how we can compare to other neighboring towns and cities in terms of density and the amount of area where we have solar panels. In a nutshell, I am either going to shoot it down or ask that additional information be provided. Cutting down 23 acres of trees is significant. It's not as significant as we initially thought based on the information they provided to us but that is substantial. Thank you.

**Councilor Hobbs-Everett:** I also agree with Councilor Lewandowski. I just want to ask you mentioned a



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA  
October 1, 2024 at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

---

decommissioning plan is that included in this package. Can you point out where that is. I didn't see it.

**Christopher Anderson:** It was part of a supplemental package as part of the site plan. That was part of the developmental review that was submitted to the council. It's buried in a large document I wouldn't be able to point you in the right direction at this point in time. But it is in the supplemental package.

**Councilor Hobbs-Everett:** Do you know which documents, I don't mind looking, I really want to see it.

**Christopher Anderson:** It's called the solar supplemental package.

**Councilor Hobbs-Everett:** Okay, I see it. Thank you.

**President Sullivan:** That document is in the council office.

**Councilor Basiliere:** I think moving forward the 30,000-foot view we have to abandon the (inaudible) to ground mounting single units I mean we the fact that we are not using them elsewhere parking lots, every city building, every house that is made kind of puts us behind the 8 ball as far as what is modern best practices. For the reasons cited by my councilors would be best to continue this and get the information that they asked for. Thank you.

**Councilor Ferreira:** I am going to bang that same drum of that it doesn't feel good to me as it is right now. The biggest point that stands out right now is the impact on community. Wearing my farmer hat, which is a wide brim hat for sun protection. I have a hard time seeing solar panels at ground level installed where green space was. I don't have a hard time seeing a solar panel city where solar panels are on previously developed land, when we park underneath them, when we graze animal underneath them, when we mow hay underneath them, when they are on top of all our municipal buildings and they are contributing directly to our electrical program in our city, so that constituents can actually reap the benefits of that. This is a large amount of acreage on a high hill that I do believe will be visible. Yes, I would like more visuals to this. I think we are very capable of pulling this up and seeing it in google maps pretty easily. With a couple of clicks we can see different dimensions and views. I would hope that would come back to us with more information as well. For me the local impact of the loss of wooded acreage is major for me for water filtration, loss of carbon sequestration and that is a direct impact to our community, that is our air quality that is what we will live with for decades to come once that gets cut down, we know it doesn't come back. I also agree with Rob Moore's comments that if this was to move forward I would like to see conservation restrictions in place. A design that includes dual purpose arrays so they could be raised if there is a potential of utilizing the prime farmland that's identified in these plots, as a farmer I know access to farmland is a major barrier for people continuing on in this business. So, if there is more acreage in a city where we can feed people or livestock under solar arrays that's a beautiful thing. I think we could get more information here and I too would be happy to see this continued to provide time for that. Thank you.

**Councilor Rogers:** I will be quick because I heard a lot. I would like to see how many feet from the top of the hill from the homes, what's the buffer they will have for trees. It sounds like you are not going to clear cut it. Initially we all thought it was going to be the whole thing, clear cut. It would be nice to have the distance of how many feet, so we know the trees that are there. Are there fields in the middle, or trees all the way through?

**Audience:** Fields.

**Councilor Rogers:** In my opinion we have to work with him a little bit because if he does go back to farming, he is able to clear cut all of the trees without even coming to us. So, if I think we can try to work with him it would be wonderful. I would like to have how many feet from all the houses at the top of the hill, so we know what the distance is for buffers from them. Thank you.

**Councilor Toohey:** I will wrap up, I agree with all my colleagues the scope for me at this point until I see further information is a little too large for me. I certainly agree with Councilor Lewandowski and



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA  
October 1, 2024 at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

---

Michitson, the density that we have around this community and cutting down those trees I have a big problem with that at this juncture. I know its your land sir, I understand that. I'm willing to have an open mind and certainly support continuing this. I feel like we need to continue to protect these areas rather than cut all those trees down especially those rural areas that people move out to those areas. I am on the other side, Crystal Street and I can tell you having those trees and having rural areas is certainly in my opinion more of an asset at this particular juncture. I will certainly listen and support continuing this item.

**President Sullivan:** I don't see any lights on and I would like to express my opinion that I do agree with the council, but we do need to figure out whether the applicant would want to continue and provide us with all the additional information that has been asked for by the council or if they want us to take a vote tonight. Do you want to speak with your client? Do you want to speak on behalf of your client?

**Attorney Harb:** I will speak for my client, he was just going to mention that some of the trees are not in good shape and they are diseased and probably should be cut down anyway. I understand the process here and I appreciate what the councilors said about the new regulation that you just passed tonight that you can ask us for things. I would not object to that if you can continue. I am just trying to make my list of what you need and I have asked Chris what does he need for time and I wouldn't want to come back on election day. He did say that he needs some time. My client in California is not answering his phone. I would certainly welcome a continuance. I have listened to you, but I don't know if you want to make a list of five or six things you want. I know you want a plan...

**President Sullivan:** I think it is very important that we nail down a list of what the councilors have asked for. What have you written done? If he doesn't have it make sure we add it. When we support a continuance we support it with all these conditions.

**Attorney Harb:** I have the pilot question, and for your information I called the Assessor today and talked to her about what is an estimated cost of the pilot per kilowatt per hour and she is away for the week. Nobody there could help me. I know you have records of what it was in the past. I would contact the City Assessor to get an estimate, its only an estimate as the Mayor said. You are looking for some pictures of a view of what it looks like. I appreciate because the Planning Director told me Orlando Pacheco is still the person in charge. I don't know if I have the authority to ask him to write a report, maybe the Mayor can. That would be nice because we welcome that report. I know that Councilor Rogers would like some distances, and I think if we gave you not such a busy plan. A nice simpler plan with distances that you could see the paths and everything. My copies are 8x17, a cleaner plan to show you what the layout would look like. Similar to the one I did on Amesbury Line Road. So, new plans, some kind of new aerial, peer report from Mr. Pacheco, the pilot number and Chris can also talk about the water filtration. We can go back and look at the project and see what we can offer for any kind of plantings or harvesting. I did bring that up and putting under this array its almost impossible to grow underneath it because of all the electrical stuff that's underneath these panels. Maybe there is some other proposal that we can bring in because we have a 112 acres of land that we are not developing, maybe we could offer a different tie in with Mr. Moore's request. Those are the things that I have.

**President Sullivan:** Okay, let's see what the councilors have. Councilor Michitson do you have a question?

**Councilor Michitson:** I guess the question goes to the Mayor, if we can fund Orlando Pacheco to do a peer review?

**Mayor Barrett:** I believe it is up to the applicant to fund the peer review. It's not up to the city. I think there has to be some consensus as to who they are going to use for the peer review between the city and the applicant. I could be wrong we could be able to make that choice. Orlando is kind of busy and we may need to go to someone else. He's the town manager in Georgetown.





**CITY OF HAVERHILL  
CITY COUNCIL AGENDA  
October 1, 2024 at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

---

**President Sullivan:** The applicant does have to pay.

**Mayor Barrett:** Yes.

**President Sullivan:** We are requesting a peer review.

**Attorney Harb:** Mr. Pacheco might be working on the pilot so it might be a conflict with him to write a peer review working for the city. I can talk with the developer of a suggested peer review from someone else.

*Motion by Councilor Lewandowski to continue the hearing for the applicant to provide us the information that Attorney Harb has outlined, which I think has been comprehensive in terms of what we asked for. Second by Councilor Michitson.*

**President Sullivan:** We do have councilors who have other conditions, Councilor Ferreira?

**Councilor Ferreira:** I am missing the development review, I don't see it anywhere and that building inspector's comment entered today if it was approved that it would still need to go through developmental review. Unless I am missing it and buried in opengov, I don't see that in our packet. I would love that if indeed.

**President Sullivan:** That maybe information that was only included in the City Council office. That may or not need to be done because it is already done. Attorney Harb is it already done?

**Attorney Harb:** They just don't have the final sign off because I was talking to Chris and he said that the development review committee won't sign off until we have the permit. You have to have the permit to finish that. They are scheduling no more hearings and they are all set. The development review probably has a different number. I didn't file it, I think Chris filed it and its all in the portal. We can get you that information so that everything that was done on that different portal is online not your CCSP.

**President Sullivan:** You can get that for us?

**Attorney Harb:** I can get that for you.

**Vice President Jordan:** I'm not sure who can provide it but I would like to get an estimate back determining the community needs served by the proposal, what the city stands to benefit specifically in tax revenue somebody should be able to give us an estimate as to what we will be receiving. Thank you.

**Councilor McGonagle:** I would like the owner to come forth when he complies all this on what other uses he will do with that 22 acres. It's his land, so he can do just about anything he wants on his land. Say he wanted to just clear cut that or leave it is not the solar panels better? I would like to know if he has a plan B. We are all looking for the benefits so there might be a benefit to doing nothing or his plan B. I would like to know that as well.

**President Sullivan:** We will add that to the conditions. We have a motion and a second but we need to continue this to a date certain. We know you are going to need time to compile this information. With the election coming November 5<sup>th</sup> we will not be meeting and after that we will be getting into tax classification. I think for now it would be wise to schedule the hearing until the last Tuesday in October, which is the 29<sup>th</sup>. If you do need additional time after that we would certainly grant you additional time but I don't think we will be hearing this during the month of November. It will probably have to wait for December if we are not ready to go by October 29<sup>th</sup>.

**Attorney Harb:** I think that is a good suggestion, Mr. President if you continue it until October 29<sup>th</sup>. We can get to work on this list and at least give you what we have by that time. I am sure a lot of this stuff we can put together before then.

**President Sullivan:** We have a motion and a second to continue this hearing until October 29<sup>th</sup> with all conditions cited tonight at this public hearing.



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA  
October 1, 2024 at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

---

**City Clerk Wright:** Is anyone able to repeat those so I may write them down.

**President Sullivan:** We did repeat those once do you want us to repeat them again.

**City Clerk Wright:** There was a lot so for the sake of the record, I think it would be helpful but if you don't want to I'm sure we can...If Attorney Harb has it written down, then I can just take a copy of that. That's sufficient as well.

**Attorney Harb:** This is like bubbles. I'll be happy to send you a copy of my bubbles. Do you want me to try again.

**President Sullivan:** Slowly so we get them all. There are a lot of the Madam Clerk, we do understand its unusual to have this many.

**Attorney Harb:** Councilor Rogers wants to have a detailed plan for setbacks (proximity to the homes). Councilor Lewandowski would like a cleaner plan to show the paths, that could be on the same plan, another site plan. Peer review from somebody. Aerials. The pilot, which is the tax thing that will come from the Assessor and she can only estimate it, but I am sure when she's back we can get that from her right away. Water filtration and talk about Conservation restrictions or an alternate impact on the community. What would the owner do with the 22 acres if he doesn't get this.

**Councilor Lewandowski:** Details regarding community benefit and or other amenities.

**Attorney Harb:** I thought I had impact to community which would probably come in the peer review too. I think they will all tie together, the plan, aerials. I think that is everything everyone would like to see. We need some time to put that together and do the best we can for the 29<sup>th</sup> and update everybody before the 29<sup>th</sup>, so you'll know.

**President Sullivan:** We have a motion and a second to continue this until October 29<sup>th</sup>. Madam Clerk will you please call the roll.

*Motion by Councilor Lewandowski to continue the hearing for the applicant to provide us the information that Attorney Harb has outlined, which I think has been comprehensive in terms of what we asked for.*

*Second by Councilor Michitson.*

**President Sullivan,** Madam Clerk please call the roll.

*City Clerk Wright: Vice President Jordan-yes, Councilor Basiliere-yes, Councilor Hobbs-Everett-yes, Councilor Michitson- yes, Councilor Ferreira - yes, Councilor Lewandowski-yes, Councilor Toohey-yes, Councilor McGonagle - yes, Councilor LePage-yes, Councilor Rogers-yes and President Sullivan-yes  
Yeas 11, Nays 0, PASSED to continue to 10.29.24*

**11. Appointments**

11.1 Confirming appointments

11.2 Non-Confirming

11.3 Constables to expire December 31, 2024

11.4 Resignations

**12. Petitions**

12.1 Applications handicap parking sign: with police approval

12.2 Amusement/Event Applications – with police approval

12.2.1 EVNT-24-24; Anastasia Dimopoulos requests to have the Greek Festival at their church on 154-156 Winter Street; Friday November 8 – 11 am to 10 pm and Saturday, November 9 – 11 am to 1 am  
42S



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA  
October 1, 2024 at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

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*Motion by Councilor Michitson, Second by Councilor Toohey  
Yeas 11, Nays 0*

*Passed*

- 12.3 Auctioneer license
- 12.4 Tag Days with police approval
- 12.5 One Day Liquor – with license commission and HPD approval
- 12.6 Annual License Renewals
  - 12.6.1 Hawker Peddlers License – Fixed location – with 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 License for 2024- with police approval
  - 12.6.5 Taxi/Limousine License – with police approval
  - 12.6.7 Pool/Billiard
  - 12.6.8 Bowling
  - 12.6.9 Sunday Bowling
  - 12.6.10 Buy & Sell Second Hand Articles – with police approval
  - 12.6.11 Buy & Sell Second Hand Clothing
  - 12.6.12 Pawnbroker license – with police approval
  - 12.6.13 Fortune Teller – with police approval
  - 12.6.14 Buy & Sell old gold – with police approval
  - 12.6.15 Roller Skating Rink
  - 12.6.16 Sunday Skating
  - 12.6.17 Exterior vending machine/Redbox Automated Retail, LLC
  - 12.6.18 Limousine/livery license/chair cars with police approval

**13. Motions and Orders**

13.1 Order to authorize payment of bills of previous years and to further authorize the payment from current year departmental appropriations as listed: 23H

Vendor	Amount	Account
Merrimack Valley Tire	\$35.00	Highway Department
National Grid	\$10.00	Highway Department
National Grid	\$10.00	Highway Department
Total:	\$55.00	

*Motion by Vice President Jordan, Second by Councilor Michitson  
Yeas 11, Nays 0*

*Passed*

Ordinances (file 10 days)

**14. Communications from councilors:**

14.1 Councilor Lewandowski and Michitson request to address crossing light at the intersection of Groveland Street and Lincoln Avenue and the extension of the Water Street RAISE proposal to Groveland Bridge 93D

**Councilor Michitson:** Thank you very much, I do want to caveat this with these recommendations were made by citizens during public hearings and I do believe the Mayor has agreed to look at these. Our goal



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is to just bring it to the attention of the City Council. The two keys issues that citizens were concerned about, one very interesting one is there is a pedestrian crossing light in order to be able to cross Groveland Street down near the intersection of Lincoln Avenue but there is no pedestrian crossing light to cross Lincoln Avenue to get to the plaza. I actually went down there to make sure that was the case. I am not sure what the rational was there might be some technical reason but I really think that should be looked at. As far as the RAISE grant proposal this is federal government the city is looking at two different projects. One on Water Street and one on River Street that will lead to improvements on that street. I was impressed with the way the city enabled the citizens to look at all the maps and make very specific proposals for what they would like to see, whether it was sidewalks or whatever. The original plan had the distance on Water Street to be covered was between Mill Street and Keeley Street. I guess that was changed to Douglas Street. It only makes sense to extend this to the Groveland Bridge because the most unsafe area around there is around the plaza. There are no sidewalks and as I just mentioned there are really no lights to help pedestrians cross. That is the second pitch is to extend that to Groveland Street and again, a citizen or two made that recommendation. I am also told that on River Street they were going to be cutting off the project at Maxwell Street and Washington Street. Several residents that live along River Street going towards Route 495 wanted it extended there as well. I think at the very least we should look at trying to address these issues.

**Mayor Barrett:** I spoke with John Pettis after the meeting we had when the gentleman mentioned the crossing light issue and the crossing issue. He and a consultant are going out this week to look at what changes we can make right away. That should be forthcoming. As far as extending both lines apparently from our consultants that we pay quite a bit of money there is a sweet spot for money on this. If you go over you almost check yourself out so by expanding on either end on River and Lincoln you take yourself out of the spots that usually give you the money.

**Councilor Michitson:** Maybe we can address these additional areas separately.

**Mayor Barrett:** That is the other way we can go. That is how we anticipated. Again, the funding is always the bug in the rug there. We will work with that even if we have to take it incrementally on Lincoln. After Maxwell you start to get into state highway that has its own issues. This is a good exercise even if it is out of the scope of the area, it's a good exercise and a good learning experience for our engineer, DPW, Wastewater and Water. Its good to hear all these things live and in person and not a crisis situation. We can hear what people are concerned about and try to figure out a plan on addressing. We are going for this grant and went for it once before. I have to commend everyone on my staff who has down this they have really put a lot of thought and effort into the presentations to the outreach. We flyer, Everbridge called people and tried to get a lot of people involved. We put it on Facebook, we tried to get a lot of people. We got quite a bit of response and left it as a blank slate for the people to look at it from their perspectives on what will improve their area of travel in the city. They came up with some great ideas. We are in the process of putting it all together for the application.

**Councilor Michitson:** It was very impressive. Thank you.

**President Sullivan:** Thank you, Mayor. I believe Councilor Lewandowski is all set, so we will move onto the next item.



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16. Resolutions and Proclamations:

16.1 White Cane Awareness Day Proclamation – October 15, 2024

13K

*President Sullivan stated we will postpone this until next week, we had a citizen express his request to continue this matter. We need a motion and second to postpone until next week.*

*Motion by Vice President Jordan, Second by Councilor Basiliere.*

*Yeas 11, Nays 0*

*Passed to postpone one week*

17. Council Committee Reports and Announcements

18. Documents Referred to Committee Study

19. Long Term Matters Study list

20. Adjourn

*Motion by Vice President Jordan, Second by Councilor Lewandowski.*

*Yeas 11, Nays 0*

*Adjourned: 20:48*