

Present – President Michitson, Councillors Sullivan, Bevilacqua, Barrett, LePage, Jordan, Macek, Daly O'Brien, and McGonagle. City Clerk – Linda L. Koutoulas

- 1. Opening Prayer
- 2. Pledge of Allegiance
- **3.** Approval of Minutes of May 7th & May 14th Meetings The minutes of May 7 & 14 were approved
- **4.** Assignment of the minutes review for the next Meeting Councillor Barrett was assigned the minutes

Yeas 8, Nays 0, Absent 1(Daly O'Brien)

President Michitson asked the Clerk to start at number 10, Appointments, and continue thru the end of the agenda. Councillor Daly O'Brien was not present for this portion.

- 5. Communications from the Mayor:
- 6. Communications and Reports from City Officers and Employees:
- 7. Utility Hearing(s) and Related Order(s)
- 8. Hearings and Related Orders

<u>Document 55</u>; Mayor Fiorentini /City of Haverhill requests Hearing to amend Licensed Marijuana Establishment (LME) Overlay Zone – relative to site plan review criteria and submits related Ordinance; *Favorable recommendation from Planning Director and Planning Board*

Councillor McGonagle recused himself and left the Chambers and did not return.

HEARING OPENED

Solicitor William Cox informed that this is an administrative change. This amendment would allow department heads to review and respond to the Council prior to special permit hearing. Also, this would make it consistent with other site plan requirements for special permits contained within current zoning ordinance. The site plan elements would be submitted at the time of application rather than later. No one spoke in favor or against.

HEARING CLOSED

<u>Document 55-B</u> MUNICIPAL ORDINANCE An Ordinance Relating to Zoning

CHAPTER 55

55

Be it Ordained by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 255, Zoning, Article XIX, Licensed Marijuana Establishments Overlay Zone, as amended, be and is hereby further amended by deleting section § 255-202. Site plan review, in its entirety, and, by inserting in place thereof the following:

"255-202 LME Site plan review required as part of special permit application
Any application for a special permit for an LME in the City of Haverhill shall not be deemed to be complete without the filing of all elements of a site plan. (see document for complete text)
ON M OTION OF COUNCILLOR SULLIVAN TO PASS THE AMENDMENT
PASSED AS AMENDED Yeas 7, Absent 1 (Daly O'Brien) Abstain 1(McGonagle) 55B

Councillor Daly O'Brien arrived at 8:00pm

Petition from Attorney Michael Migliori on behalf of *Full Harvest Moonz Inc* requesting Hearing for Special Permit under Chapter 255, Article XIX LME-RO to operate an Adult Use Marijuana Establishment at 95 Plaistow rd

HEARING OPENED

Attorney Migliori introduced Janet Kupris, CEO of Full Harvest Moonz who gave a PowerPoint presentation and spoke about her background. She informed that the cannabis products will be pre-packaged, 3% of gross sales will be given to city; they will make charitable contributions-\$25K to Mayor's choice and 2 other charitable organizations; they will give 100 volunteer hours; there will be employment opportunities. Michael Allen – Armstrong Security spoke about the sophisticated security measures. Products will be delivered into a sally-port. They will have security detail, camera systems, access control. Joe Janeeno – Government Relations – informed that they have a wholesale agreement in place, product is grown in Massachusetts and delivered from Littleton, MA. There will be 6 point of sales registers. The hours of operations will be determined by the city. They will be hiring staff. Nick Navan – Traffic consultant informed that there will be 2 entrances – one off Main Street and the other using the 5 Guys driveway. 5 Guys will be used for exit only. Proposed hours of operation Monday-Saturday 9-9; Sunday 12-9. Will have 16 employees and anticipate 300-500 customers per day. They have 22 parking spaces which include 2 HP required spaces. He reviewed the grading of 4 intersections – Main St./Plaistow Rd; Main St/Cushing Ave; Plaistow Rd/Cushing Ave and 5 Guys Driveway; Plaistow Rd./Cushing. Attorney Migliori informed that they have a signed Host Community Agreement in place and donations will be given to Emmaus and

Bethany. They comply with zoning ordinance Ch.255-80 Sec. E and they have no objections to accepting conditions. They have supplemental parking in place. Also have third site under verbal agreement. No one spoke in favor. Those speaking against were Chris Todino, Bernadine Angelo and John Maddox. John Maddox asked for clarification about putting a question on the ballot restricting the number of licenses for LMEs. Solicitor Cox informed that the Council and the Mayor can act to put a question on the ballot or a citizen petition can be placed on the ballot which is provided for by the City Charter. This would have no effect on the special permits that have already been filed. Some of the concerns Dr. Maddox voiced were about the amount of vape shops/stores and perceived risk to young adults,* the need for an annual high school risk survey which costs \$10K, lack of a public health department, community service hours for education. HEARING CLOSED ON MOTION OF COUNCILLOR BARRETT TO MOVE FOR APPROVAL WITH SECOND FROM COUNCILLOR DALY O'BRIEN. Councillors asked questions about their hours of operation, on-site and off-site parking, traffic, security, willingness to work with the school department to provide education. Councillor LePage shared his experience with the 8 marijuana establishments he visited in state with focus on traffic and parking. The major concerns expressed by Councillors were traffic and parking, especially alternative parking at Amesbury Road. ATTORNEY MIGLIORI REQUESTED A POSTPONEMENT TO JUNE 4 TO COME BACK WITH TRAFFIC/PARKING PLAN. ON MOTION OF COUNCILLOR MACEK TO POSTPONE TO JUNE 4TH. **POSTPONED TO JUNE 4 2019** Yeas 7, Nays 1(Bevilacqua) Abstain 1(McGonagle) 55C 9. Public Participation- Requests under Council Rule 28 **10.** Appointments: Constables 2019: **Reappointments** Ronald Bertheim, 116 Lenox av David E Hall, 73 East Broadway Steven Ring, 90 Linwood st Christina Sewell, 61 So Central st, Apt 2 Gerald A Sewell, 264 Broadway Appointments - pending payment of fee to City Jose G Garcia 9 Westminster av Scott Wood 93 Lawrence st; All appointments to expire May 1 2020 PLACED ON FILE Yeas 8, Nays 0, Absent 1 68 **R**esignations Haverhill Cultural Committee Stephen Arnold 7 6th Avenue PLACED ON FILE 69 Yeas 8, Nays 0, Absent 1 11. Petitions Petition from Attorney Michael Migliori representing applicant CNA Stores, Inc. - Robert DeFazio, CEO and Billie Haggard Jr., COO requesting Special Permit for an Adult Use Marijuana Establishment-LME-NE (No Exclusions) for property located at 558 River st, Assessor's Map 508, Block 260, Lot 9 COUNCIL HEARING JULY 9 2019 Yeas 7, Nays 0, Absent 1, Abstain 1(McGonagle) 55E Annual License Renewals Hawker Peddlers License 2019 Thomas Clark to sell sausages, hot dogs, cheeseburgers, water, soda & chips at Columbus Park; Washington st; Sunday - Saturday, 10AM to 7PM renewal; Has approval from Police Dept & Health Dept MR. CLARK INFORMED THAT HE REQUESTED A CHANGE IN HOURS BECAUSE THE LATER HOURS WERE NOT FINANCIALLY FEASIBLE On the question of passage, the yeas and nays were as follows: Yeas – Councillors Sullivan, Jordan, McGonagle 3 Nays - Councillors Bevilacqua, Barrett, LePage, Macek and President Michitson 5 Absent – Councillor Daly O'Brien 1 NOT GRANTED 56B Wade Dempsey to sell hot dogs at Bradford Common; April thru October; Monday – Sunday, 11am TO 5PM – new; Has approval from Police Dept, Health Dept & Wire Inspector **GRANTED** Yeas 7, Nays 0, Absent 1, Abstain 1(Barrett) 56C Pool Tables: The Tap 100 Washington st 2 Pool Tables GRANTED Yeas 8, Nays 0, Absent 1 60B **12.** Motions and Orders: ORDERED: That the sum of \$148,595 be appropriated from School Stabilization and transferred to Capital Project: School Technology PASSED Yeas 8, Nays 0, Absent 1 41H **13.** Ordinances (File 10 days) 14. Monthly Report

15. RESOLUTIONS and PROCLAMATIONS

on Boston rd to the T	was received from Councillor Melinda B Fraffic & Safety Committee RRETT SUGGESTED CENTER STRIPI			
	AFFIC & SAFETY COMMITTEE	Yeas 8, Nays 0, Absent 1	59P	
17. UNFINISHED BUSINESS OF PRECEDING MEETINGS				
	Document 29-Q			
	MUNICIPAL ORDINANCE	CHAPTER 240		
13 Hancock Street Establish – Handicapped Parking				
An Ordinance Relating to Parking				
Be it Ordained by the City Council of the City of Haverhill that Article XIII, §240-1302 – Schedule B:				
Parking Restrictions and Prohibitions of the Haverhill City Code, as amended be further amended by				
inserting the following	ng:			
LOCATION	REGULATION	HOURS/DAYS		
13 Hancock Street	No Parking	24 Hours		
(see document for complete text)				
PASSED		Yeas 8, Nays 0, Absent 1	29Q	
There was an intern	nission for 15 minutes.			

18. Council Committee Reports and Announcements Councillor Bevilacqua announced the Planning & Development Committee meeting scheduled for

Councillor Bevilacqua announced the Planning & Development Committee meeting scheduled for May 22 at 6pm in the City Council office. Topic to be discussed is broadband service in Haverhill

Councillor Bevilacqua asked for a suspension of rules to have the question be placed on the ballot about recreational marijuana facilities

On the question of passage, the yeas and nays were as follows:	
Yeas - Councillors Bevilacqua, LePage, Jordan and President Michitson	4
Nays – Councillors Sullivan, Barrett, Macek and Daly O'Brien	4
Absent – Councillor McGonagle	1
SUSPENSION NOT PASSED	

19. Documents Referred to Committee Study

Meeting adjourned 10:21 o'clock P.M.

Yeas 8, Nays 0, Absent 1

Attest: *Linda Koutoulas* City Clerk

*Doc. 55-C – Handout from Dr. Maddox – Adverse Health Effects of Marijuana Use