

**HAVERHILL PLANNING BOARD  
MEETING MINUTES**

**DATE: Wednesday, December 8, 2021**

**Place: City Council Chambers – Room #202 City Hall**

**Time: 7:00 PM**

Members Present:           Member William Evans  
                                  Member April DerBoghossian, Esq.  
                                  Member Kenneth Cram  
                                  Member Robert Driscoll  
                                  Member Nate Robertson  
                                  Member Karen Peugh  
                                  Member Ismael Matias  
                                  Member Karen Buckley  
                                  Chairman Paul Howard

Members Absent:           None

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

**Approval of Minutes:**           November 10, 2021

**November 10, 2021**

After board consideration, Member Robert Driscoll motioned to approve the November 10, 2021, meeting minutes. Member Ken Cram seconded the motion.

Karen Peugh – yes

Bill Evans – yes

Karen Buckley – yes

April DerBoghossian, Esq.- yes

Kenneth Cram – yes

Nate Robertson- yes

Robert Driscoll – yes

Paul Howard – yes

Ismael Matias - yes

**Motion Passed.**

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Member Karen Peugh read the rules of public record into the record.

**Public Hearings:**

Please note at the December 8, 2021, Planning Board meeting held at 7:00 pm in the City Council Chambers the board considered the recommendation of the Planning Director, William Pillsbury, Jr., to forward a favorable recommendation to the city council on the proposed amendment.

Member Karen Peugh: read the conduct of hearings for a public meeting.

Mr. William Pillsbury addressed the board. I bring this on behalf of Bob Ward, Water/Wastewater Superintendent. The proposed ordinance seeks to revise the way the map for the water supply district is updated. The proposed revision makes updating the of the map the responsibility of the city engineer. The new ordinance language will allow the map to be adjusted as needed to reflect actual field conditions that are encountered from time to time. The water supply protection over many years changes. The opportunity to change that would be left up the City Engineer to do rather than have to come back to do a zoning amendment every time we wanted to change the maps. Its really a technical thing and very straight forward. With that I would make a request for a favorable recommendation to the City Council.

After board consideration, Member Karen Buckley motioned to forward a favorable recommendation to the City Council as recommended by the Planning Director William Pillsbury, Jr. Member Kenneth Cram seconded the motion.

Nate Robertson – yes

Karen Peugh – yes

Bill Evans – yes

Karen Buckley – yes

April DerBoghosian, Esq.- yes

Kenneth Cram – yes

Ismael Matias - yes

Robert Driscoll – yes

Paul Howard – yes

**Motion Passed.**

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

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**List of all documents and other exhibits used by the public body during the meeting:**

Letter Mayor Fiorentini, 10.14.21

Ordinance water supply protection overlay district

Robert Ward, Deputy DPW Director, 10.6.21

Comment – zoning amendment

Email, Rob Moore, 11.8.21

**Definitive Escrows:**

**Emma Rose/Emma Rose Modification:**

The Haverhill Planning Board at its 12/8/21 meeting held on Wednesday evening at 7:00 pm reviewed the request to reduce the accounts to a zero balance in return for the completion of all work.

Economic Development/Planning Director William Pillsbury, Jr. advised the board members to reduce the account to a zero balance as recommended by the City Engineer. The City Engineer recommended the board reduce the accounts to a zero balance. The City Engineer had reviewed the subject bonds, inspected the roadway and associated improvements, and compared the quantities to the roadway definitive plan. The calculations indicated that all items had been completed and therefore recommended that the board reduce the cited escrow accounts to a zero balance.

In consideration of the City Engineer's recommendation, Member Karen Buckley motioned to reduce the accounts to a zero balance. Seconded by Member Kenneth Cram. All members present voted in favor. Members Absent: None. Motion Passed.

NOTE: The following items remain unfinished:

- Detention pond volume confirmation or grading
- Misc. loam and seed @ edge of road along swale
- Stop sign @ Emma Rose/Broadway
- Street trees- late planting check health in spring 2022.

As the value of this work can be covered within the clerk of the works escrow being held by the Treasurer's Office, I recommend that the Planning Board bond be reduced to \$0, and I will release the Clerk of the Works escrow to the developer after the above items have been completed. Additionally, the developer has or is in the process of filing for street acceptance. I recommend that the board send a favorable recommendation regarding street acceptance at this time if they can.

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**Scotland Heights Escrow:**

Please be advised, the Haverhill Planning Board at its meeting held on 12/8/21 reviewed the request of Michael Crowe to reduce the amount being held for completion of work within the cited subdivision.

The board advised that the request was referred to the city engineer. The request was to review the work cited as required; advise if all work cited was completed under the approved definitive plan; if the work was completed in accordance with the approvals; and if all required remaining work was listed and if the dollar values were accurate. Please note that Planning Director William Pillsbury, Jr. recommended that the board vote to reduce the account as recommended by the City Engineer in his report to the board dated 12/8/21.

In consideration of the report from the City Engineer, John Pettis, Member Karen Buckley motioned to reduce the amount \$68,310.00 from the \$85,905.00 balance and maintain a balance of \$17,595.00 as recommended by the city engineer in his report to the board dated 12/8/21. Member Kenneth Cram seconded the motion. All members present voted in favor to reduce the account to the balance of \$17,595.00 as recommended by the city engineer in his report addressed to the board dated 12/8/21. Members Absent: None. **Motion passed.**

As a condition of the board's vote, the **TREASURER is required** to notify the board that the minimum amount of \$17,595.00 is held for the completion of all remaining work. The account shall not be further reduced or released without formal board approval.

**1240 Boston Road/O'Leary Way escrow:**

The Haverhill Planning Board at its 12/8/21 meeting reviewed your request dated 11/29/21 to re-establish the amount for the completion of work for the above cited subdivision.

Planning Director William Pillsbury, advised that the request was referred to the city engineer on 11/29/21, that the request was to establish a dollar amount that guarantees the completion of all work within the approved and recorded definitive plan; and that the city engineer in his report dated 12/8/21 recommended that the amount of \$354,984.88 was sufficient to guarantee the completion of all work according to the approved and recorded plan.

In consideration of the report of the city engineer and recommendation, Member Karen Buckley motioned to approve the established amount as recommended by the city engineer for completion of all work for the cited development. Member Ismael Matias seconded the motion. All members present voted in favor. Member Absent: None. Motion passed

**Note:** You are now required to set up a performance guarantee agreement and obtain the proper surety in the amount noted by the city engineer to guarantee the completion of work within the above cited project. No lots will be released until the endorsed agreement is recorded at the Registry of Deeds and proof of that recording is provided to the board. Once the Planning Department receives that information a lot release letter will be provided to the Building Inspector to release the lots in question for construction and sale only.

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**Reminders for escrow:** None at this time.

**Form A Plans:**

Charles and Azaduhi Loosian for 477 Hilldale Avenue: Member Karen Buckley motioned to approve and endorse the Form A plan for 477 Hilldale Avenue. Seconded by Member Ismael Matias. All members present voted in favor. **Motion Passed.**

**Re-sign (mis-placed October mylar)**

Anthony Rossi for 66 Emerson Street: Member Karen Buckley motioned to approve and endorse the Form A plan for 66 Emerson Street. Seconded by Member Ismael Matias. All members present voted in favor. **Motion Passed.**

**Endorsement:**

**Any other matter:**

Planning Director William Pillsbury discussed the upcoming downtown revitalization.

Meeting adjourned.

Signed:

Paul Howard  
Chairman