



# Haverhill

Planning Board

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## HAVERHILL PLANNING BOARD MEETING MINUTES

**DATE: Wednesday, March 11, 2020**  
**Place: City Council Chambers, Room 202**  
**Time: 7:00 PM**

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

**Members Absent:** Member Kenneth Cram

**Also Present:** William Pillsbury, Jr., Director of Economic  
Development and Planning

**Approval of Minutes:** February 12, 2020  
**February 12, 2020**

After board consideration, Member Karen Buckley motioned to approve the February 12, 2020 minutes. Member Robert Driscoll seconded the motion.

Karen Peugh – abstain  
Bill Evans – yes  
Karen Buckley – yes  
April DerBoghosian, Esq.- yes  
Kenneth Cram – absent  
Nate Robertson- yes

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Robert Driscoll – yes  
Paul Howard – yes  
Ismael Matias - yes  
Motion Passed.

Member Karen Peugh: Read the conduct of hearings into the record.

**Public Hearings:**

**Zoning Amendment:**

Please note at the March 11, 2020 Planning Board meeting the board considered the recommendation of the Planning Director, William Pillsbury, Jr., to forward a favorable conditional recommendation for the update of the Haverhill Zoning Code.

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

Mr. Pillsbury: The roll of the Planning Board is to conduct a hearing, compile the comments of the results of that hearing and transmit those to the City Council along with a recommendation based on the documents that are in front of them. There is no power within the Planning Board to amend any documents. The City Council are the only ones who have that authority. Tonight, is an opportunity for the public to be heard on the proposed zoning amendment. The City Council meeting will also be a public meeting which allow the public to be heard. The City Council meeting has been scheduled for April 21<sup>st</sup> at 6:00 pm. This is a unique time for City Council, so I call that to the public's attention. The action that is before the City Council and what we are looking at tonight really does come at the convergence of two major initiatives that the City has been involved with for a number of years. There has been a zoning review committee that has been in operation for 4-5 years. The committee has taken in consideration the recodification of the language, all the changes in that language that you have in the document that is before the City now. This has been handled primarily by Attorney Mark Bobrowski. He unfortunately is unable to be here tonight. He drafted the zoning ordinances for over 100 communities in the state. The documents that he has presented tonight are very much up to date. They are in line with current laws. The document is about 187 pages long with two tables. We have copies of a summarization that Attorney Bobrowski has prepared. This summarizes

the changes in the 187-page document. Attorney Bobrowski has also worked on to supplement in many ways in the zoning ordinance, special permits where we have previously been issuing or having applicant's pursue variances. The variance law in Chapter 40A is specific and is very limited requirements in which variances can be granted. We as a City had been operating under a loose area in this regard. This recodification seeks to switch the requirements for variances to special permits. One example is the area of signage. Many times, we have people come in and look for a sign for their business...the sign that they are looking for is too small and they want to see it larger, they would go through a variance process. That is not the proper way to grant relief we are proposing to make that a special permit process. There are also updates to the cluster development procedures. We are calling them flexible development and planned development. We previously called it cluster development or planned unit development. Those are being replaced by upgraded systems that are being used across the commonwealth to allow that type of development. The second element is the Master Plan. There were a variety of zoning changes. Those include the business park densification. There is a proposal to densify the business parks by adding/changing some of the zoning configurations. There is also an effort to move forward with the request for proposals to deal with the Goecke Deck, downtown. There is also the village center concept. I think this has been looked at favorably to have in the commercial neighborhood zones the opportunity to see some growth with mixed use both residential and commercial use in the commercial neighborhood zones to see those move forward. I would like to clarify up front some misconceptions that I have learned over the last couple of days. There is a misunderstanding because I want to be very clear about this...there is no proposed change to the density, lot area or any of the dimensional and density requirements in the special conservation zone. There is no proposal to do that. There has never been and there is not now for a proposal to change the SC zone. I don't know where that came from but there seems to have been talk that there was a proposal to change the density and the lot area requirements in the SC zone. That is not proposed. What is proposed and I'll explain to you as why is the name of the SC zone. This has always been a point of contention for the City is proposed to be changed to what it normally is a residential category. The special conservation zone is not a conservation zone. The request to change the name came from the Conservation Commission and agent asking. This would make it consistent with all the

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other residential zones that we have throughout the City. We have residential high density, residential urban, residential rural density and residential medium density. We would like to add to the list residential special conservation. It's just a naming change. We are not eliminating the zone. There is no change beyond that to any of the dimensional and density requirements in the SC zone. Second of all, there was discussion during the Master Plan about two new industrial park locations or business parks. Both of those locations are privately owned, and they are looked at the possibility that they may potentially represent business park locations. However, they are both privately owned. There is no control by the City over these properties. There is no proposal in this zoning ordinance modification that is before the City now to change the zoning of those parcels. One of those is the area around Route 110/Dutton airport. There is no proposal to change those areas. The Master Plan looked at those areas as potential. We obviously cannot change the zoning without the input of the owners. That is the process that we are going through now. We are seeing if it is feasible. We are seeing if it can be arranged, if it could be additional business parks. One of our biggest problems is that we are over 90%-95% full in Ward Hill and most of our business parks. If a new business wants to come to Haverhill, we don't have a place to put them. We were charged to look at and find other locations and that is what we are here to do. One location is near the Ford dealership and the other is Route 110. Those are the two areas that we are looking at. Those are not up for rezoning by the City tonight. Those would require a separate filing and separate rezoning. I want to clarify on both of those things. For the Planning Board I would like to walk you through the zoning changes.

Mr. Pillsbury: **Section 1: Purpose** - Language modernized but not substantively changed.

**Section 2: Districts** - No new districts or overlay districts created or eliminated. No substantive changes.

**Section 3: Use Regulations** - Section 3.2: New accessory use and structure regulations. Section 3.3: New home occupation regulations. Use and Parking Table updated.

**Section 4: Dimensional Regulations** – No substantive changes in language. District requirements for area, frontage, yards, height or coverage contained in Table 2.

**Section 5: Nonconformities** – Completely revised to reflect case law since 1990. ZBA review of nonconforming single-family homes streamlined. New rules for demolition and rebuild.

**Section 6: General Regulations** –

Section 6.1: Parking regulations largely unchanged. Special permit provision added for allow for less parking when no detriment will result.

Section 6.2: Sign regulations substantively unchanged. Special permit provision to allow for larger or more signs when no detriment will result.

Section 6.3: New performance standards for lighting, noise, landscaping, stormwater management, site development, traffic, aesthetics, and utilities. To be applied in special permit or development review for multifamily, nonresidential, or mixed uses.

**Section 7.0: Special Regulations** –

Section 7.1: Office Use and Funeral Home regulations unchanged.

Section 7.2: Earth Removal regulations unchanged.

Section 7.3: Auto Storage regulations unchanged.

Section 7.4: Water Storage Fencing regulations unchanged.

Section 7.5: Wireless Service Facility regulations unchanged.

Section 7.6: Coin Operated Machine regulations unchanged.

Section 7.7: Access Regulations unchanged:

Section 7.8: Solar Energy System regulations updated to include roof-mounted and medium/small scale ground mounted facilities.

Section 7.9: Adult Use regulations updated to comply with U.S. Supreme Court holdings.

## **Section 8: Special Residential Regulations –**

Section 8.1: Accessory apartment regulations updated to allow for a larger apartment.

Section 8.2: Multifamily regulations unchanged.

Section 8.4: Flexible Development regulations added to encourage alternative development design in larger residential districts.

Section 8.5: Planned Development District regulations added to encourage alternative residential or commercial development in districts with greater density allowances.

## **Section 9: Special Districts -**

Section 9.1: Floodplain Overlay District: Renumbered but unchanged.

Section 9.2: Water Supply Protection District: Renumbered but unchanged.

Section 9.3: Waterfront District: Renumbered but unchanged.

Section 9.4: Medical Marijuana Overlay District: Renumbered but unchanged.

Section 9.5: Merrimack Street Gateway District: Renumbered but unchanged.

Section 9.6: Campus Area District: Renumbered but unchanged.

Section 9.7: Licensed Marijuana Overlay Zone: Renumbered but unchanged.

Section 9.8: Downtown Smart Growth District: Renumbered but unchanged; moved out of the Ordinance due to space.

**Section 10: Administration and Enforcement** – Section 10.1 Building Commissioner, Section 10.2: ZBA, Section 10.3: Planning Board, Section 10.4: Special Permits, section 10.5: Repetitive Petitions, and Section 10.6: Clerk of the Works revised but not substantively changed.

Section 10.7: Request for Reasonable Accommodation and Section 10.8: Site Plan Review for Dover Amendment Uses are new and address recent developments in federal and state law.

**Section 11: Definitions** – new definitions added as needed, some existing definitions deleted or modified.

### **SUMMARY OF TABLE CHANGES**

#### **Table 1: Table of Use and Parking Regulations**

Language updated and simplified throughout the table.

For example: 'Convenience Retail' replaces 'Establishments offering principally convenience items, services, and/or proprietary goods as specified herein'

#### **Section A. Residential Uses -**

##### **New Uses**

- Flexible development
- Long-term care facility (replaces Nursing Home)
- Assisted living residence (replaces Nursing Home)

##### **Removed Uses**

- Cluster residential development
- Planned unit development

#### **Section G. Eating, Drinking and Entertainment Establishments -**

New Use: Cocktail lounge or bar, with no live entertainment and/or dancing

\*Special permit from BA required in Washington Street Historic District

**Section H. Motor Vehicle and Marine Related Uses –**

Boat Marina and Supply Sales in RS by special permit from City Council

**Section K. Accessory Uses –**

New Use: Trailers

**Table 2: Table of Dimensional and Density Regulations**

RS replaces SC

RR altered to allow for smaller lot area

- Minimum lot area changed to 40,000 sq. feet from 80,000 sq. feet

CN altered to allow for Village Centers

- Front setback changed to 10' min., 20' max from 20'
- Side setback changed to 10' from 15'
- Rear setback changed to 20' from 30'
- Maximum height changed to 45' from 35'
- Maximum stories changed to 3 from 2.5
- Maximum Floor Area Ratio (FAR) changed to 0.85 from 0.50

BP altered to allow for denser business parks

- Front setback changed to 10' Max from 40'
- Maximum height changed to 85' from 50'
- Minimum open space changed to 10% from 20%

Mr. Pillsbury: I think there is an openness about making a change for the RR zone. Tonight we will give you the opportunity to be heard and to bring that information forward to the City Council. Between now and the City Council hearing, we can see what can be worked out. My real sentiment is that the majority of this zoning document really does bring the city up to date. Combining that with the goals of the Master Plan and create targeted development both in our industrial parks, downtown along the waterfront. I think we created a great amount of good in this zoning ordinance. Ultimately, at the appropriate time I will be making a recommendation.



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Member Karen Peugh: As far as the RR to make them smaller lots; what standards or backing for making that recommendation?

Mr. Pillsbury: The recommendation that both Utile looked at through the zoning committee was to create an opportunity for growth.

Member Karen Peugh: Did you use any best practice or other surrounding communities zoning laws and regulations?

Mr. Pillsbury: I guess the strongest argument that I can make about that is when you look at the consideration of that, in the 1990 Master Plan which was zone by zone analysis of what the city should have for its square footages. That 1990 Master Plan which existed up until a couple of months ago as the prevailing document established the RR district at 40,000 square feet. That was determined to be back in those days that was determined to be the right density. There are many developments in the current RR district that have 40,000 square feet. What happened in the year 2000 was a movement because of concerns about over development and overgrowth. A proposal was brought forward at that time to change from 40,000 to 80,000 and SC to a literal 2 acres which is 80,000 to 88,000. The fundamental rationale to look at this as an option as means to increase density was to go back and revert to what was already approved. Our best practice was our own City. That was again prior to a lot of the concerns that have been raised.

Member Karen Peugh: Do you have a sense of what you are proposing is to stick with the 80,000 or find some middle ground?

Mr. Pillsbury: I don't know. That is a political decision for the City Council to make. This is a City Council decision. There are strong feelings on both sides. I think it's important to have the public be heard. I hope that clarifies. The reason I am going back is basically to return to the previous Master Plan which was the law of the land for many years.

Chairman Howard: I will open the public portion of the hearing now. Does anyone wish to speak?

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Ms. Christine Kwitchoff of 14 Colby's Lane addressed the board. Is it possible to get the maps here? At every previous meeting we have had very large maps present. I think those maps are really invaluable to have a visual to what we are talking about. It seems odd to me that those are not present tonight.

Mr. Pillsbury: The only maps that was in the Council is the City's zoning map. Would you like to see the City's zoning map?

Ms. Kwitchoff: Yes, the map that you had at the workshop. You had two of them. That would be great. I think those are really good visuals. Page 9 of the Master Plan states that "targeted residential and commercial growth in specific areas of the city will increase the city's future capacity, protect the city's balance between town and country, and expand city revenue to allow for improved city services." The Master Plan does not identify any areas of targeted growth in residential rural. None. Instead, the Plan suggests that we build up and not out, and that we create village centers as the antidote to suburban sprawl. Page 36 of the Plan suggests RR reduction as an "additional longer – term consideration to explore". I don't understand why this action was added to the Plan when it doesn't tie back to any of the goals. Why are we discussing this? It's been reported in the media that only a "very small number of properties will be affected by this zoning change." Is it possible to see the numbers behind this statement, and to understand how RR reduction will expand city revenue? Without these numbers it's hard to assess properly, and with the knowledge that the majority of the eleven farms in Haverhill that were recapped in November 2019 edition of Haverhill Life aren't covered by any Agricultural Preservation Restriction, many are ripe for development. It's difficult to understand how the amount is very small without seeing the numbers. Instead of RR reduction and likely outcome of suburban sprawl, let's shift our focus to the positive aspects of our rural community. Let's create agri-tainment and agri-tourism that increases city revenue. Let's expand our farms sustainable energy production. Let's focus on social progress and get our city kids out to the country. Open space and rural character aren't for the sole benefit of the lucky few that live near it, it's for the benefit of all. Regarding business development, page 25 of the plan states "all else being equal, from a pure land use perspective it is preferable to densify industrial uses where they already exist, but is likely easier for prospective large tenants to permit and build a new modern facility..." At the February 26

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Mayor/Council Workshop it was stated that a developer has already been identified for a new Dutton Airport business park site at exit 52. Yes, this new build is easier, but shouldn't we challenge ourselves and maximize our existing sites before we disrupt valuable watershed and neighboring communities? Who will bother retrofitting the older, more challenging sites when the new one is available? In closing, we just began our Municipal Vulnerability Preparedness Plan. Shouldn't we have MVP results in hand before zoning changes are considered? For these reasons I urge the Planning Board to reject the proposal to change RR zoning from 80,000 square feet to 40,000 square feet and ask you to stop further progress at Dutton Airport. Can I see a show of hands of who agrees with what I just proposed with the reduction of RR and stopping the progress of Dutton Airport? (audience did a show of hands who were in favor.)

Mr. Robert Ferreira of 34 Rolling Meadows Lane addressed the board. I live on the Methuen line. I really don't know where Dutton Airport is. I believe it's off Route 495. My situation is totally different. In 1988, I was 24 years old, I bought 15 acres up on Scotland Heights. The Scotland Heights development consist of 3 large parcels where an outside developer, one from Topsfield and one from Pelham built 100 homes all on 40,000 square foot lots. This project started in 1995. This project was in three phases. The second phase was passed in 1998, 40,000 square foot lots. I actually moved into that area in 1998 so I can be near the property that I purchased at 24 years old. I always dreamt that someday I would develop my property. Then the zoning changed. What we dreamt of was literally cut in half. We had 14 lots but now it is down to 7. Why was it changed? You really don't want to know. It should never have been changed. It was predominately 40,000 square feet in the RR zone for a long, long time. For 20 years there were 40,000 square feet lots in the RR zone. I would like to see it changed back to what it was when I first bought the land. I am two years away from retirement. This property sits high on a hill surrounded by abutting 40,000 square foot lots. I have water and sewer subbed into an easement which I paid \$15,000 for to develop this property. When I read this was going to back to 40,000, I thought there is a God. This should be done. I am a citizen of Haverhill. I am not from Topsfield and Pelham. I want to live up there. I want to build a house for my daughter and son. I want to build for the way it was zoned back in 1998. I have talked to property owners up on Scotland Heights who own the properties with the 40,000 square foot lots. They are beautiful homes. Those 98 houses up

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there generate 1.2 million dollars in taxes for the City of Haverhill. If these houses weren't built our tax rate would be high. This City is 36 square miles. There is a housing shortage. When they changed the zoning to 80,000 square feet it created a housing shortage. It drove housing prices and rents through the roof. My particular lot, me personally, it's the last parcel to be built out on the hill. I am being handcuffed because I can only do 7 houses instead of 14. This is not what I dreamt of for 34 years. I am for the change as a property owner. Thank you.

Mr. Kevin McCarthy of 34 Wharf Lane addressed the board. I would like to echo everything my neighbor Christine Kwichoff stated. I have investments that haven't worked out. I've had investments that went to zero and everything I invested, I lost. I am not talking about property but generally in life. It happens to us all and I hate to sound not sympathetic but that is not the benchmark that we should be measuring things. Incidentally the old way of putting a house per acre, that's the old way. We are moving away from that. The report is about 186 pages. I like all but a half page. I think it's great. I think that the work that went into what you guys and the consultants have done is fantastic. We have smart growth, we have overlay districts. It's the way we should be doing it. It is absolutely correct. I am worried about the lot by lot chipping away at the open space that we have. After the last meeting, the Mayor said it was a small number of lots affected by this. If it is such a small number why don't we use the special permit process that you refer to. We are very adept at using that. It's the right way to go. I encourage you to go the special permit route. It should be a case by case basis. I am not opposed to that. We are doing all the work for the right way to develop Haverhill. We are recognizing that our open space is a huge resource to us. It is a massive resource to us. In 20, 30, 40 years in time we are going to be so glad that we maintained the open space and we have densified as we should have. We are doing it the right way. There are a couple of things that people feel strongly about. Those are my comments. You can see it in the room. I hate to sound unsympathetic to the developers, we need them to build houses. Those are my comments and thank you for your time.

Mr. George Moriarty of 11 Sheriden Street addressed the board. I am here as a resident and also as Chairman of the Board of Appeals. I have heard changes to the Zoning Code is very important to our job on the Board of Appeals. We have been struggling for many, many years with the

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language, some of the restrictions that were there that prevent us from really helping applicant's get through the process. We need to get the changes made for people that come before us for variances, special permits, accessory apartments and things of that nature. We have struggled with that. Looking at the changes that were proposed throughout the zoning code, changes made through the Master Plan, they are going to help us and when I say help us as a board, its really helping the people that come before the board. We are there trying to make sure that the kind of things they are trying to do through our properties, developing their properties. We always find that we are handcuffed in trying to help them because of those outdated things that are there. These restrictions were made a long time ago and they do not conform to what is going on in the City now. The kind of changes the City needs to make with their pieces of properties. I speak for myself as the chairman of the Board of Appeals. I am not speaking for the whole board as they are not here tonight, so I can't speak for all of them. I've certainly had conversations with them to how better to do our job. The zoning code is way out of date. It really needs to be updated. Anything that the Planning Board can do to help move this forward and listen to the concerns of citizens obviously as to what changes should be made to some of those kind of things. The progress that has been made so far and the changes that have been made to the zoning code in conjunction with the Master Plan which the Master Plan is the best one that I have seen. We need to move this forward. This gives us an opportunity to make some real changes to encourage businesses to come in. This will also help residents make the changes to their properties. This is very important to residents. The purpose of the Board of Appeals is to help residents, and this certainly takes a step-in right direction despite having some elements that need to be looked at. Thank you for your time.

Mr. Mike Sherar of 173 Middle Road addressed the board. I am no longer in the law enforcement. I spent time in the service. I am in transportation now. We need to go ahead and make our roads better and wider. We don't have egress or access. Before we do anything to improve how many people are here...we need to improve things for the many people who are here. We have to go back to our roads. I drive to Florida every week and I drive past where those four people died. They died because someone ran into them because they were stopped in a vehicle. They were hit at full speed, 65 miles per hour. Our lives are in jeopardy and I brought this up at the last meeting also. Route 495 and River Street and Route 495 and

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Route 125 is stopped traffic on a 65-mph highway. It's only a matter of time before somebody dies. A car can get rear ended stopped in traffic trying to get home. The City's traffic is backed up on Route 495. Before we can do any more building, we need to have the Commonwealth do something with Route 495. There are other parts of the state including Route 3 that the breakdown lane is in use. Something needs to be done before any more expansion. First responders can't get in or out. Everybody's life is in jeopardy trying to get off of Route 495. We need to think about what we are doing and expand the roads before we expand how many people are here. Our lives depend on it.

Chairman Howard: For future speakers can we keep it to the point of the zoning amendment.

Mr. Mike Sherar: I am because more people...

Chairman Howard: That is not what we are discussing here.

Mr. Ed Bogacz of 900 West Lowell Avenue addressed the board. I read through the Vision Haverhill 2035 Master Plan. It talked mostly about downtown, waterfront, village centers and industrial parks. It really didn't address rural residential as part of the Master Plan. The change with going 80,000 down to 40,000 square feet isn't really addressed in the plan. It is mentioned briefly in one little place. What is mentioned in the plan in many, many places is protecting open space, protecting natural assets in farmland perpetuity. One of the best things about our City is that we have rural packages alongside cities and downtown. Support open space and agriculture. Discourage unplanned sprawl elsewhere, increase tree canopy in both public and private lands. The community overwhelmingly appreciates the balance of town and country that Haverhill provides. The priority for future growth is to maintain that balance. Thoughtful perspectives of existing natural resources emerge as a top priority among the open spaces and natural resources recommendations. The plans 10 goals to support improving existing open spaces, acquiring land for new open spaces, protecting and promoting existing natural resources. A cart blanche change for RR from 80,000 to 40,000 really doesn't do anything for the Master Plan whatsoever. Its not mentioned in there. There is a process in place where people want to change zoning in the RR areas. They can come and make a variance and make an appeal to the Planning Board and

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also to the City Council. I am opposed to changing the regulations on cart blanch based across the City. There is nothing wrong with having people come in and ask for variances to hear the merits of the changes rather than doing it in a cart blanch based. Thank you.

Ms. Sarah Weaver of 324 East Broadway addressed the board. I still have a very basic question about the proposed zoning change, the change for the lot size from residential rural. It's still not clear to me of what kind of development the zoning change is intended to allow or to encourage. Vision 2035 points out that we definitely have a need for more housing but it is primarily for multifamily and multi-person housing. The paperboard site is one example that would have a lot of housing. They came up with the village cluster idea where you would have town homes or other units where we would have small groups where they are walkable. The 2035 plan stresses a lot of having a more walkable City. Residences there could go to a café or drug store or minimart, all those things would be walking distance and ideally some sort of public transportation would be available to residents in that new kind of housing. Changes to the RR zoning and new development there, chances are they would not share any of those amenities. They are not going to be within walking distance to a lot of things. So, for me that begs the question, what kind of development is desired for that area. I can see that there maybe some streets or individual locations might be appropriate for another kind of development. There maybe a rural zone that borders on another zone that might make sense but again, why would it need to be a all or nothing zoning change. I would think a special permit or waiver or whatever you call it that rather than have an all or nothing change to the whole RR zone. Thank you.

Mr. Sam Bergeron of 21 Coachman's Lane addressed the board. Looking around I am probably one of the younger people in this room. I am planning on living in Haverhill 50 years from now. The kind of City I want to live in is one that a every buildable lot is going to be built on. Growth is not possible forever. Haverhill has borders. You can't just keep growing indefinitely and expect that we are never going to have to think about it. That it is the next generations problem. When I see, even in my neighborhood which is one-acre lot neighborhood. I've seen around us that we have lost about 100 acres of land to these cul-de-sac developments that studies have shown at UMASS Amherst in particular, actually end up costing the City more in services than they generate in tax revenue. To me

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it doesn't make a lot of sense adding this zoning change into the plan. It was almost like it was snuck in. It seems kind of sneaky. Even if you clear cut every single acre of forest in Haverhill and built one acre lots on them you would not even put a dent in the housing shortage in the Merrimack Valley let alone in the greater Boston area. Those houses would still be way under affordable for anybody in my age group who is not making a ½ million a year. So, the arguments that there is some sort of economic benefit for the City or for the average citizen of Haverhill to come from eliminating our rural areas is kind of silly. There is a serious detriment that would come from this. You are jeopardizing our water supply, clean air and our future ability to pivot relation to climate change and other natural disasters. To me this zoning seems very short sighted and designed to reward a very small number of people at the expense of the greater community. Thank you.

Ms. Lisa Marzilli of 1135 West Lowell Avenue addressed the board. There has been a lot talk recently about more housing in Haverhill and the state overall. However, as we grow, we want to ensure our city is climate-friendly, affordable and economically competitive. In addition, we also need to protect our farms, forests, natural resources and watersheds. Poorly planned growth has contributed to unaffordable homes, traffic, lost farms and ultimately climate change. We can do better in Haverhill. We adopt Smart Growth principles to curb sprawl development that worsen our environmental conditions. The eight proposed "villages" in the new Master Plan use Smart Growth principles (compact building design, walkable neighborhood, transportation choices, range of housing choices and preserve open space and farmland.) Unfortunately, also proposed in our new Master Plan is the idea to reduce the rural residential (RR) zoning from 2 acres to 1 acre and that is not smart growth. This proposal was not discussed with the public at any of the public Mater Plan meetings and the community is still largely unaware. What was heard repeatedly from the community was the desire to preserve our rural character. Targeting our rural areas for the answer to our housing crisis has me deeply concerned for the following reasons: Financial is Haverhill prepared for the additional spending on road building, parking and police emergency services that come with a spread-out metro area. One report cites that sprawl increases infrastructure and public services costs by 10 to 40 percent. Has Haverhill planned for these increases? Negative impact to Haverhill's rural character- Citizens have cited Haverhill's diverse lands (urban, suburban



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and rural) as one of the greatest assets. This zoning change will diminish the rural character of Haverhill with little regard for preserving our farms, forests and natural resources. Our diverse lands benefits all our citizens. Please preserve the rural and agricultural character of our City. Traffic- Those of us who live in the rural parts of the city have already seen a dramatic increase in building, traffic and pollution in recent years. With a smaller lot minimum, more houses built, and more traffic will ensue. We don't have many sidewalks or bus/train service in the rural areas, so residents are almost completely reliant upon single vehicle transportation. That means more traffic speeding on our narrow, windy country roads. Values- undeveloped land has more value than the price tag a developer is willing to put on it. People (like myself) move to our city so they can enjoy the great urban things close together but also have nature of farms in a short distance. It is one of the reasons people move to Haverhill they like living in this kind of environment. I am asking the planning board to vote no to this zoning change to reduce RR lot sizes to 1 acre. Like our historic buildings during urban renewal, once we lost our rural character, we will never get that back. I do understand that our city needs to grow but let's do it with Smart Growth principles and allow for our city advantage of nature and farms nearby.

Mr. Dougan Sherwood of 2 Merrimack Street addressed the board. I am the President of the Haverhill Chamber of Commerce. On behalf of the Chamber I would have to express my support for the 2035 Master Plan in its totality. There are a number of measures and recommendations that particularly relate to rezoning that are incredibly important in my opinion to the Economic Development growth in Haverhill. The proposed changes in the industrial areas in particular is one of the most significant improvements that I believe we can make and what is going to come out of this Master Plan. Bringing zoning in our industrial areas to modern times will trigger new development opportunities and create denser, more vibrant work environments. Not only are we at capacity, as Bill said earlier but the overall Massachusetts economy is calling out for new development. Giving a lot of comments that I have heard tonight from friends, I completely understand where both sides of these issues around redistricting, rezoning. I just want to say from someone that sat through last year's Master Plan, I was part of the committee, I can say that I believe firmly that not only was there a tremendous transparency and an effort to so throughout the process. These are true experts and I do believe that its is an excellent

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study. I would say that the cautions and concerns and the resisting to impacting the environment and the natural resources that this city has from the woods, to the farms, to the rivers were all things that.... all of us...there was no contest there. No one is choosing development over these things in any great totality. I just want to share my voice and to say that I thought the process that we went through and the people that were involved as well as the individuals that are going to be taking this forward have these interests well in mind.

Mr. Ron Trombly of 2 Merrimack Street addressed the board. I am the Managing Director of the Greater Haverhill Foundation. We are the co-developer of Harbor Place and we are trying to make a positive impact in the development of the city. The Haverhill Foundation was the entity that enacted the original development of the Ward Hill Park. We are trying to generate jobs. I want to compliment the efforts that have gone on relative to the overall Master Plan efforts and zoning in particular the densification within the industrial park. It makes all the sense in the world. Right now we have a company in Harbor Place that is moving out of the Hancock Building. You can't find the kind of space that Haverhill can offer. The quality of life, beautiful community with tremendous opportunity. We strongly support the densification effort and trying to find other locations, specific locations with potential expansion of (inaudible) out of Boston. Clearly the zoning elements to support the downtown redevelopment, (inaudible) I am positive about that. (inaudible). Thank you.

Ms. Judy Quintal of 1147 West Lowell Avenue addressed the board. I am one of the few property owners that this affects because I own two pieces of property that abut each other. I have close to 18 acres and I am deeply opposed to the 2-acre minimum going down to 1 acre. There are several developments in the Ayer's Village area that have 2-acre homes and they fit very well in the neighborhood. If you started putting 1-acre house lots and houses up, it just changes the whole thing. All you have to do is ride down Howe Street in Methuen, you can see what 1 acre lots do. I was brought up on that property since the 2<sup>nd</sup> grade. My children were brought up on that property. We have had animals all our lives. I still have chickens running around the yard, if I had a development next door to me with 1 acre lots you would be having a lot of complaints. I agree with what everyone has said in opposition. I just wanted to say my peace.

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Mr. Steve Gullo of 196 Chadwick Road addressed the board. For total transparency I am chairman of the Board of Assessors. We don't want to lose focus on the majority of this plan. That is the commercial and industrial development opportunities. That is 99% of this zoning. Mr. Pillsbury did briefly hit on the benefits of this growth, particularly with any new construction. This will bring in new tax dollars. It's called new growth. That money is money that has never been collected before. Commercial and industrial properties do not have an adverse effect on our schools. Fire and police... have to address that also, but our biggest budget item is our schools. It has no effect on that. In looking at our industrial parks those buildings are old. They should be torn down some of them. With this new plan that is going to help dramatically in helping new businesses to come into Haverhill. As Mr. Pillsbury likes to say, it's another tool in the toolbox to encourage commercial and industrial growth in the City of Haverhill. That's what the major focus of this entire plan is. I support this plan particularly where there is going to be a potential income for our taxes. Hopefully, reducing our residential increases of our tax bills. I think as 26 years as an Assessor here, I have heard every single story about why taxes are high. I did an analysis and the City of Haverhill's average single-family home tax bill is the second lowest. We would love to be the lowest. I think Lawrence is the lowest. Addressing the 80,000 to 40,000 square foot issue. It is one-line item on an effort that has taken about a year. I was on the committee for the Master Plan which I do support in full. I am not going to tell this board anything new because you already know this. If you were going to take a 40-acre parcel of land (this example is for conversation only) and we were back to and not changing anything.... going back to the one-acre zoning. It really isn't one acre per house. You are not going to get 40 houses on a 40-acre parcel. You do have a road that you have to put in. There will be no houses put on that. Also, there is no lot in the City that I can think of that is perfect square or rectangle. It's a polygon. You would need to put a road in, and you need to develop it. It's not uncommon to have wetlands. It's not uncommon to have hills that may not be buildable. On average the lot size may be 45-50-60,000 square feet. It's not uncommon for these developments to have about 60%. One would think with 40 houses would go on 40 acres may in fact be only 20 houses. It could be less than that depending on the contour of the land, how much wetlands there are. When a proposal is brought before the board this is what is looked at. I did a little research also on some of the developments that are in the RR zone and were built with 1 acre lots. Many of those lots

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are not 40,000 square feet. Some are 40,000 some are substantially more than 40,000. It's not necessarily going back to 40,000 square feet per lot if you have 10, 20, 30 acres....it doesn't represent 10, 20 and 30 houses. It is much less than that. One question I do have, Mr. Pillsbury, the change on the 80,000 to 40,000 the front, side and rear setbacks, has that changed? (inaudible). Effectively you are still building under the guise of an 80,000 square foot lot with the setbacks that are in place with 80,000 square feet. Is that correct? (inaudible), Where this relies heavily on new growth, new tax dollars. This is something that we desperately need. It's the first comprehensive plan that we have had in 30 years. It is much needed and something that we should go forward with. I say this a resident and a Tax Assessor.

Ms. Maureen Cracker of Brandy Brow Road (inaudible) addressed the board. I am a brand-new Haverhill resident. I did go to Whittier, so I am an unofficially a Haverhill resident. I did come from Methuen and would like to speak on that. I came to Haverhill because I miss the country, I miss the small town and I miss green open spaces. It is a real shame that this is what I just moved to. I just wanted to speak out for my two little guys in the back who are learning about our local government. We do have a say in how our future is shaped. I am thinking about them and feel that open spaces and farmland is absolutely necessary. Thank you.

Mr. Rob Gough of 135 Hyatt Avenue addressed the board. I am here to speak in opposition to this proposed change. I want to first echo the sentiments earlier and commend the work that has been done on the Master Plan. Having read it I think the vast majority of it is excellent. It aligns very nicely with smart growth principles with the glaring exception to this proposed change to the RR minimum lot size. When I read it and learned of the growing community opposition of some of my friends and colleagues, community members. It made sense to me because it suggested to me and others that there seems to be a lack of understanding at least in this particular item of smart growth principles. I am not going to read them all but hopefully you are aware...I am going to pick.... there is 10 to smart growth. I am saying this because this proposed change suggests that we as our leaders, my leaders, those who we entrusted to look after our community development and the planning therein have either forgotten some of these principles or don't hold them with the same value as I do. I am going to pick just a few that I think this proposed change is subject to.

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#2- take advantage of compact design. #4- create walkable neighborhoods. We have heard folks speak to that already. Urban sprawl or development at the outer edges of our city do not help to create walkable communities. In fact, they further become dependent on cars. Our position in Haverhill is a car-centric community, unfortunately. Although we are making great changes in that area, in my opinion. #6- preserve open space, farmland, natural beauty and critical environmental areas. #7- direct developments towards existing communities. I'll stop, you can see where this might not align. It was also nice to hear Mr. Pillsbury highlight that this proposed change represents a roll back to where the regulation was prior to 2000. I personally have seen enough roll backs and protections met to serve us and our lands in recent times at the federal level. I don't want to see it locally here. I am sure, I didn't live here in 2000, moved here shortly after that but I would guess that most of if not all of the reasons for that change at that time not only still exist but have only gotten worse. We have more cars on the roads, our roads are more dangerous, pollution has gotten worse, the burden on our infrastructure- storm water, our sewer systems, urban runoff and suburban runoff all of those things have only gotten worse. So, a rollback doesn't make sense to me. I guess I'll stop there. One other thing I will say. Words matter, so when we are talking about this... I am not suggesting that this is deliberately deceptive but it is confusing, everyone that I have heard speak before me this evening has spoken about this in the form of changing from to...the wording of this is changing to 40,000 square feet from 80,000 square feet. It's easy to read this and think this is an increase, so as we talk about this moving forward and this goes onto the City Council can we please be clear about that syntax. Thank you.

Mr. Andrew Herlihy, Division Director of the Community Development Department addressed the board. I am part of the administration. I am proud of this administration's work in terms of smart growth, walkability with the rail trail, all the tree plantings that we have done, the expansion of the farmers market. I am here tonight because I do support the plan, the Master Plan. I wish I could say I was part of it, but I wasn't on the committee. I was more involved with the production of Haverhill's housing production plan. That is the report of which the Master Plan is based. I do want to stress that we do have a terrible need for housing. It's at all levels...our republican governor, democratic legislature agrees on this point...solving it and unpacking it often takes place in forums like this. A lot

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of this is based on supply and demand of course. Our housing problems obviously manifest itself with people in lower income, not just homelessness. We see a lot of doubling and tripling of units. A rash of illegal units in the city. Which have been cracked down on which make a whole host of other problems. It also effects people of middle and upper incomes. You see people who are with middle incomes spending 30,40, 50, 60% of their income on housing. That is creating an unstable social-service demand...run out of food and other things that they need. It also plays itself out on the upper incomes were people are unable to have their continued families in the community. One of the things we saw in the housing production plan...one of the truly amazing things about Haverhill is socio economic diversity of the city. I will leave this pinwheel that shows all the different economics in the city. What makes it interesting is the number of people earning less than \$15,000 is equal to the amount of people earning over \$150,000 and everything in between. What we see and one of our goals in community development is to increase the diversity of our housing stock. We need housing for all of these ranges of people at every point in their lives. Its not a cookie cutter one size fits all approach. I am really happy with the plan in terms of the business part density and I would imagine a lot of people in the room are too. I am very glad the SC areas are in staying intact. I just want to remind people that not everyone wants to live downtown, not everyone wants to live in multifamily housing especially people in the upper income brackets. We don't want the pinwheel; you can imagine what this would look like in Lawrence or in Boxford. It would look very different in terms of the spread of people. We want that balance. I feel that this Master Plan does accomplish that. I want you to keep in mind the tremendous amount of people in the City who are facing housing demands. Whether they are in housing or not, seeking it or looking to move on.

Mr. Jeff Grassie of 1153 West Lowell Avenue addressed the board. I think what I have been hearing over the last weeks, months from my friends is that we don't take care of what we have. Over the past months, years we have heard about the schools falling apart, we hear about the police being understaffed. We hear about the fire stations falling apart and understaffed. Just the maintenance in the city in general. The problem is if we don't take care of what we have now we are going to bring in all these new developments, housing...the problem is we are going to be bringing in all of this stuff without taking care of what we have now. Let's take care of

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that first then bring in all these new houses and homes with families. We will not be overloading the system with what we already have. I think that is a lot of concern from people are.... can we please take care of what we have and invest more in what we already have? I know that the other communities in the area and we are second to the bottom sometimes there are repercussions of that. If we are second to the bottom unfortunately, we are not taking care of our stuff. Maybe we have to rethink the way we do things with that. We agree on 99% of this plan, I think we can all agree with that. Why don't we take the 1% out of this plan that we don't need at this moment. Maybe we could discuss this at a different time and that way this can get passed and moved forward. Then we can discuss the RR from 80,000 to 40,000 at a different time. Let's take it out and we will all be happy.

City Solicitor William Cox addressed the board. Just a few words in sort of wrapping this up. This is part of a much larger process. Over 10 years ago, we looked at the City Code and said this is really outdated. We undertook to review and recodify all of the sections of the city code with the exception of the zoning section because it was a very large under-taken and we realized that it would require a lot more input from a lot of folks. In addition, we wanted to coordinate it with the Master Plan. What you have before you tonight is a recommendation...I would like to give Mr. Pillsbury a lot of credit he is the person who does the day to day work. Attorney Bobrowski has been excellent to work with. He is very reliable and actually wrote the land use book that is commonly used by most judges and attorneys in the commonwealth. He is a great resource for us. The zoning committee which has been meeting for probably about 3 years, putting together different ideas, tossing them around and trying to come together with a consensus with proposals to move forward and that being merged with the work from the Master Plan is what you have before you tonight. I am glad to hear folks say that so much of this is excellent and is really needed and they are in favor because frankly I was worried before coming tonight is that all we were going to hear was about the parts that people don't like. I think that is great that people were able to address those other areas. There seems to be one area, obviously, that folks have a difference of opinion. As Mr. Pillsbury has said that it appears this is something we can work through and we need to do that. What I would ask/urge the board to do tonight in your roll in reviewing this is to pass this onto the City Council with a favorable recommendation. As you know, they will have a

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public hearing. They will hear from the folks that are here tonight and anyone else who wishes to come to speak with regards to any part of that. It is the City Council that has the authority to amend the ordinance that you have tonight. My request would be to make a favorable recommendation with regards to the ordinance, the comments and concerns that everybody has raised tonight go into the report to the City Council. It is something that goes with the package and they have that with them. I can tell you from dealing with them over a number of years they take very seriously the comments and concerns that come to them from this board. With that I would ask that you act favorably on this tonight and send this to the council which is the next step in this process. Thank you.

Mr. Frank Moscuzzo of 359 East Broadway addressed the board. I would like to ask that we push this forward to the City Council with the exception of the RR zone change. I would like to keep the RR at the 80,000 and send it along. I would like to know how many people in the room really wanted it to be the 40,000 square feet. I heard some people speak in favor of the Master Plan and the economic things that they liked and all that. I didn't hear anyone speak specifically in favor of reducing the RR zone. (Asked for a show of hands). Thank you.

Chairman Paul Howard asked if anyone wished to speak. Hearing none, we will close the public portion of the hearing and turn it over for comments from the board and then turn it over for comments from the Planning Director.

Member Karen Buckley: Christine I totally agree with you. We have under utilized the opportunity with our rural areas. I would love to see you sphere head some things that can be done and I would be glad to help you. I would love to see kids come to Haverhill in the summertime and enjoy our farms. You obviously have read all of the documents so you know this is chalk full of information that came from hundreds of other people in Haverhill who agree that we need to save our open spaces and the culture that we have here in Haverhill. I totally support that. On the other hand, I am one of those people who lives on the 40,000 square feet. I squeaked in before the change of policy. They wanted to squash the development of housing. The thing about this is we are trying to create opportunity. It does not guarantee that any of these things will happen. We are going to recommend that we allow for different types of development but unless the



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market demands it and developers come in and fund and create them, they won't happen. So, jumping to the conclusion that we are suddenly going to have thousands of houses on our farm areas is kind of extreme. We may end up with little cu-de-sacs like I live on with 8 houses. My house is on a not even lot and the rest of the property is a ravine down to a protected stream. That is why there is only 8 houses instead of 20. What we do need to do is allow for housing that goes with every (inaudible). I know that the desire to switch to a smaller footprint of 40,000 square feet is to encourage single family homes. We have not seen a lot of those. We do need some upper income families and I am sure you (inaudible) I would. Its not a for gone conclusion that anything of these things will be built. It's an opportunity that will help our city grown in a managed way.

Audience: Can I respond...

Chairman Howard: No, the hearing is closed.

Member Karen Buckley: I would be glad to talk with you later.

Audience: Okay.

Member Nate Robertson: I would like to thank everyone for showing up. Usually Planning Board meetings are thinly attended. I am feeling very popular for the right or wrong reasons. My day job is as planner and in a previously life, not so long ago, I worked in Economic Development for the City and the Greater Haverhill Foundation. I am acutely aware of best practices around planning as well as the Economic Development part of it. I can say with confidence that this document is a good document. A lot of time and energy was spent on creating this. I overwhelming support the vast majority of the zoning changes. Adding density in our business parks is a long time coming. It's a no brainer. We were at 98% occupancy while I was working with the city. We had businesses that wanted to come the struggle was how to find space for them. This is good and this addresses a lot of those challenges. Walkable, mixed use village nodes along our intersecting neighborhoods. It was a great idea and allows us to produce more cohesive neighborhoods. The only issue that I saw with the zoning changes is the reduction of the minimum lot size in the RR zone. This is a sentiment that seems to be shared with the majority of the group. That being said, I can't amend it as a Planning Board member. There's nothing I

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can do with the document other than recommend that it move forward to the City Council who can amend the document. They can honor and reflect the changes that people here have said. I think that is the pathway forward. I think it would be a wasted opportunity to throw away 99.9% of good stuff because we want to change one thing. That one thing can be changed, and it can be done by our legislative body, which is the City Council. It would be a shame to throw this whole thing away because of a change that is important that we need to reconsider, and people are clearly mobilized ground. We can do both.

Chairman Howard: I would like to say to that I am in support of the document. I am an environmental engineer and I would not be supportive of changing the zoning in the RR district when it comes to the watershed district overlay. Our water supply should be of the upmost.... (inaudible) we should protect those resources because they are limited. I think we have heard the sentiment of everyone here today and the majority 99.9% is really good for the city. We have the opportunity to pass onto the City Council the comments that came in tonight and the sentiment that was here tonight which I think was overwhelming for that one item. I think it was overwhelming too is that the majority of these things are good and are going to be good for the City. The Chairman of the Board of Appeals is here and has stated that he and the board needs these to bring us up to the 21<sup>st</sup> century. They would have things that help the citizens when they come to the Board of Appeals.

Mr. William Pillsbury: The role of the Planning Board is to conduct a hearing, which we have done. Comply all the comments from the public with respect to the issues and to make a recommendation. We know we can't change the 1% here but I think what is important is the record. We will send a recommendation to the City Council which will say favorable recommendation but there are changes. I have had the occasion to speak to the Mayor about this extensively in the last days and the councilors as well everybody is aware of this. This is not a surprise to anybody that this is a concern. We will work on this between now and the City Council meeting. I would request a favorable recommendation with the caveat that between now and the City Council hearing that there be modifications.

Chairman Howard: Is there a motion?

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Member Robert Driscoll motioned to make a favorable recommendation to the City Council on the City's Zoning Ordinance. The recommendation includes all the updates and all the comments from the meeting tonight. Seconded by Member William Evans.

Member Nate Robertson: yes

Member Karen Peugh: yes

Member Bill Evans: yes

Member Karen Buckley: yes

Member April DerBoghossian: yes (Karen Peugh-let the record show April showed up)

Member Kenneth Cram: absent

Member Robert Driscoll: yes

Member Ismael Matias: yes

Chairman Paul Howard: yes.

Motion Passed.

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

- Haverhill Draft Zoning By-Law
- Letter from Lisa Marzilli, received at Planning Board meeting 3.11.20
- Email, Debbie Fallon, Water/Wastewater Department 3.13.20
- Email, J Thomas Mettling, 3.11.20
- Letter, Christine Kwitchoff, received at Planning Board meeting 3.11.20

**Special Permit for 367-369 Hilldale Avenue:** Please note at the March 11, 2020 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.

Attorney Robert Harb of 17 West Street addressed the board on behalf of the applicant. We are here tonight seeking a favorable recommendation for a four family special permit to go to City Council. If you looked at our plans you might ask why are we here and not before the Board of Appeals, as you may know the Board of Appeals can give up to a larger number as long as the building is in existence with no structural changes. After discussing this numerous times with our building inspector we all agree that the barn is

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not connected to the main house. To build the walkway to go between them that was considered as special structural change. That mean that we couldn't go to the Board of Appeals to add the special permit to our variance request so we needed to go to City Council. We did go to the Board of Appeals for all of the other variances we need for dimensional variances and received them. I won't go into the details tonight because I know you have heard how we need more new housing. Mr. Garceau is going to live on this property. If you saw the barn, major money went into that barn. He wants to develop the barn into a fourth unit and then make it handicapped accessible so in the future his parents can utilize it while he is a live-in landlord. Behind us there is an already existing four-family. The requirements for a special permit through the City Council are as follows; is this a desirable use, does it fit in with the public convenience and welfare? I should mention nobody was in objection to this at the Board of Appeals meeting. One neighbor came in favor. I don't see anyone here tonight objecting to this. This is a convenience and use that would be desirable for the master plan, not only the old master plan but the new master plan. We are simply adding one unit on an existing property in a building that currently exist. We have City water, sewer. We did have comments from the Fire Department and the Water/Sewer that they may need some upgrades and may need some sprinklers. He will do whatever the city requires and follow the recommendations of the City Departments. We would ask again, a favorable recommendation for this four-family special permit.

Chairman Paul Howard: Is there anyone from the public who wishes to speak on this item? Hearing, none I will close the public portion of the hearing and open it up for comments from the Planning Director.

Mr. William Pillsbury: The review of the plan indicates a favorable recommendation.

Member Karen Buckley made a motion to make a favorable recommendation to the City Council as recommended by Planning Director, William Pillsbury, Jr. Seconded by Member Nate Robertson.

Chairman Paul Howard - yes  
Member Robert Driscoll - yes  
Member Ismael Matias- yes

Member Kenneth Cram-absent  
Member Karen Buckley-yes  
Member Karen Peugh-yes  
Member Nate Robertson-yes  
Member Bill Evans- yes  
Member April DerBoghossian, Esq. – yes  
**Motion Passed.**

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

- Plan by Merrimack Engineering
- Letter from Lynn Garceau,, 11.8.2019
- Assessor Map of Hilldale Avenue
- Floor plans
- Pictures
- Notice of Decision, Board of Appeals, 12.18.2019
- Legal description
- Letter from Attorney Robert Harb, 2.10.2019
- Request for comments
- Fire Department Letter, 2.13.2010
- Water/Wastewater Letter, 2.19.2020
- Letter, Andrew Clark, 3.9.2020

**Definitive Escrows:**

**Carrington Estates Phase I: Bond Reduction**

The City Engineer recommended no reduction at this time. "As the values of these items is less than 20% of the original phase I bond, I recommend that the bond remain at \$171,442.00 as I recommended previously. John Pettis letter, 3.11.20

No vote was taken.

**Carrington Estates Phase II: Bond Reduction**

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The City Engineer recommended no reduction at this time. "As the values of these items is less than 20% of the original phase I bond, I recommend that the bond remain at \$184,368.00 as I recommended previously. John Pettis letter, 3.11.20

No vote was taken.

**Crystal Springs Escrow:**

Please be advised, the Haverhill Planning Board at its meeting held on 3-11-20 reviewed the request of Jay Davidowicz 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 3-11-20.

In consideration of the report from the City Engineer, John Pettis, Member Karen Buckley motioned to reduce the amount \$190,949.25 from the \$992,329.25 balance and maintain a balance of \$801,380.00 as recommended by the city engineer in his report to the board dated 3-11-20. Member Nate Robertson seconded the motion. Members Nate Robertson, April DerBoghosian, Esq., Karen Peugh, Robert Driscoll, Ismael Matias, Bill Evans, Karen Buckley and Paul Howard all voted in favor to reduce the account to the balance of \$801,380.00 as recommended by the city engineer in his report addressed to the board dated 3-11-20. Member Absent: Kenneth Cram. **Motion passed.**

As a condition of the board's vote, the **BANK is required** to notify the board that the minimum amount of \$801,380.00 is held for the completion of all remaining work. The account shall not be further reduced or released without formal board approval.

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

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- Escrow materials

**Emma Rose Escrow:**

Please be advised at the Haverhill Planning Board meeting held on 3/11/20 at 7:00 pm in the City Council Chambers reviewed the request to endorse the extension of the agreement for the above cited development.

The Chairman, advised the board that the agreement was reviewed by the City Solicitor as to form and was approved as attested to by his signature on said agreement. The new expiration date for performance is **12/7/20** and funding on **12/7/20**. The Planning Director recommended that the Planning Board vote to endorse the extension agreement. It was noted, that the developer must record the extension of the agreement at the Registry of Deeds and provide proof of said recording to the Planning Office for its file.

After board consideration, Member Karen Buckley motioned to endorse the above cited agreement and that the developer provide the Planning Office with a recorded copy of said agreement as required. Member William Evans seconded the motion. All members present voted in favor. Member Ken Cram. was absent. **Motion Passed.**

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

- **Escrow Materials**

**Bradford College Phase I:** Reminder the performance guarantee expires on 4.19.20 and 5.19.20 for funding. The developer must submit and extension agreement or bond attachment may be a consideration. (To date no agreement has been received.)

**Form A Plans:**

**Tony Sarkis for Crystal Street:** It was noted the building inspector commented on 2.28.20 "BOA approvals 4/21/00 reduced frontage approved and recorded. Area complies with SC zone. Access achievable from public street (Crystal Street)." Member Karen Buckley motioned to

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approve the Form A plan. Seconded by Member Nate Robertson. All members present voted in favor. Motion Passed.

**Paradigm Properties for 20 Computer Drive:** It was noted the building inspector commented on 3.11.20 "Lot BB-1 complies with frontage, area and access of BP zoning district. Lot 10BB -2 existing building complies with area, frontage and access; parking requirements applicant should show adequate parking for existing building uses/read engineering letter". Member Bill Evans motioned to approve the Form A. Seconded by Member Robert Driscoll. All members present voted in favor. Motion Passed.

**Endorsement:** None at this time.

Meeting adjourned.

Signed:

Paul Howard  
Chairman