



# CITY OF HAVERHILL

## CITY COUNCIL MINUTES

Tuesday, August 6, 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, McGonagle, and LePage

Attending Remotely – Councilor Rogers

Assistant City Clerk – Rose Leonard Flynn

City Clerk – Kaitlin M. Wright

**1. OPENING PRAYER**

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF MINUTES OF PRIOR MEETING**

July 23, 2024 minutes to be approved at next meeting.

**4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING**

Councilor Hobbs Everett assigned the minutes.

**5. COMMUNICATIONS FROM THE MAYOR:**

**6. COMMUNICATIONS FROM COUNCILLORS 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:**

8.1. City Clerk Kaitlin Wright submits Warrant for 2024 State Primary Election to be held on September 3, 2024, from 7 am to 8 pm

*Motion by Councilor Michitson, second Councilor Lewandowski*

*PASSED*

*Yeas 11, Nays 0*

3-E

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

9.1. Petition from National Grid and Verizon for Joint or identical Pole locations for Lake st;  
Plan 30932099 Hearing August 20, 2024

*Motion by Councilor Jordan, second Councilor Toohey*

*PASSED to be heard August 20<sup>th</sup>*

*Yeas 11, Nays 0*

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**10. HEARINGS AND RELATED ORDERS:**

10.1. Document 53, petition for Special Permit Major Modification from Christos Eliopoulos seeking approval for modification to a residential development (Residences at Kenoza) initially approved by City Council in 2023, located at 7-13 Kenoza av  
*Continued from July 23, 2024*

**President Sullivan opened the hearing.**

Attorney Michael Migliori representing the applicant for the project at 7-13 Kenoza Avenue with respects to the major modification. Here this evening with owners Christos Eliopoulos and John



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Tucci, and project architect Jeff Moretti who will discuss the changes being required to the project. The Council approved this special permit in July 2023 where newer members of the Council were not involved. The architect is different from when we submitted the original special permit. We started this project three years ago. Dealt with the Board of Appeals. We met with the Universalist Unitarian Church members who are direct abutters to understand their concerns and address them the best as we could. Based on those discussions, the project was reduced from 20 apartments to 14 with significant parking of 21 spaces. The lot presented challenges. Most of the changes are to the interior of the building. The third story units were incorporated into the roof structure. The original conceptual plan did not meet actual structural and framing requirements for the local codes regarding energy and structural compliance. Think changes are consistent with original design and scope.

**President Sullivan asked if anyone would like to speak in favor? No one spoke.**

**President Sullivan asked if anyone would like to speak in opposition?**

Cory Thurlow, 70 Washington Street, asked what the grant was for the project and what made it worthy for such grant. It is a pretty building and needs something done it's just unfortunate to enhance the neighborhood they have to put a big block next to a historic building that has been there for over 125 years.

Christos Eliopoulos stated the grant was part of Mass Development for underutilized properties which applied for in 2023 and receive the grant this year. There is a timeline on it.

Richard Brandolini, 103 Webster Street, stated he would like to see the project up against the church and see what it looks like because it is going to block all the windows just renovated in the church, will bring in more traffic, where will people park and how will such a big structure fit on such a small lot.

Erica Lundin, church member asked if just the roof height changed but looking at the windows it looks like it used to be three stories and now it's four.

Jeff Moretti stated it will remain a three-story building; it is difficult to see in renderings, but the third story is built into the roof that is why the roof was redesigned to accommodate a full height of the wall to meet the current code.

Dawn Kroll, 24 Marsh Avenue, asked what the end of Kenoza Street looks like.

Christos Eliopoulos showed Ms. Kroll on the rendering what it looks like.

**President Sullivan closed the hearing.**

*Motion by Councilor McGonagle, second Councilor Lewandowski*

Councilor questions included what rents would be, rendering of what look like birds-eye, the back of the building looks completely different from original, contamination concerns with existing structure



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removal, changes to windows, changes in architectural features, back of building completely different, possible appointment of consultant, and frustration on coming to council to approve which is not buildable. Suggestion of postponing to address concerns.

*Motion by Councilor Michitson to postpone to August 20<sup>th</sup>, second Councilor Lewandowski*

President Sullivan: Madam Clerk please call the roll on the motion to postpone for two weeks.

City Clerk Kaitlin M. 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, President Sullivan-yes  
*Yeas 11, Nays 0*

10.2.Document 61, CCSP 24-6. Hearing for Caitlyn Masys requesting to construct a 3-story wood framed structure comprised of 4 separate dwelling units each with their own 2-car garage on 94 Portland st *Comments from city departments are included.*

President Sullivan recused himself since his law firm represents the client. Vice President Jordan chaired the hearing.

#### **President Jordan opened the hearing.**

Attorney Caitlyn Masys, Downey Law, representing the owner appeared before the Council requesting a special permit to construct four dwelling units that will be in the form a row house on 94 Portland Street. Each unit will have its own two-car garage underneath. The Board of Appeals has unanimously approved the project. Mr. Colantonio owns the adjacent lot as well. The intent is to keep units as rentals but at market rate or slightly below.

**President Jordan asked if anyone would like to speak in favor? No one spoke.**

**President Jordan asked if anyone would like to speak in opposition? No one spoke.**

**President Jordan closed the hearing.**

Councilor comments included large building for a small lot, would like more green space, snow removal and placement of trash and recycling, and changing project from four units to three units.

*Motion for a private dumpster by Councilor Lewandowski, second Councilor Michitson*

President Jordan: Madam Clerk please call the roll on that condition.

City Clerk Kaitlin M. Wright: Councilor Basiliere-yes, Councilor Hobbs Everett-no, Councilor Michitson-yes, Councilor Ferreira-no, Councilor Lewandowski-yes, Councilor Toohey-yes, Councilor McGonagle-yes, Councilor LePage-no, Councilor Rogers-yes, President Jordan-yes

*Yeas 7, Nays 3, Absent 1 (Sullivan)*

**President Jordan: That Passes.**

President Jordan: The other condition was working with the tree program. Do you have wording for that?  
Councilor Ferreira: To work cooperatively with the street tree program to explore options at this location.



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President Jordan: I don't think we need to vote on that, that will be one of the conditions.

President Jordan: *Per the motion originally made by Councilor McGonagle, second by Councilor LePage and now with the amendment including all department head recommendations, reducing the number of units from four to three, adding green space for the total area that would have been the area of the fourth unit, and now requiring the private dumpster, and working with the city's tree program.*

President Jordan: Madam Clerk please call the roll.

City Clerk Kaitlin M. Wright: 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, President Jordan-yes

*Yeas 10, Nays 0, Absent 1 (Sullivan)*

**President Jordan: Passes with amendment and conditions.**

### 11. APPOINTMENTS:

#### 11.1. Confirming Appointments:

11.1.1. *Haverhill Housing Authority Board of Commissioners; Fred A Simmons, 420 Amesbury rd*

*Motion by Councilor Michitson, second Councilor Toohey*

*PASSED*

*Yeas 11, Nays 0*

38-N

11.1.2. Robert V Driscoll, 55 North Broadway *both expire August 31, 2029,*  
To Be Confirmed

*Motion by Councilor Jordan, second by Councilor McGonagle*

*PASSED*

*Yeas 11, Nays 0*

38-O

#### 11.2. Non-Confirming

#### 11.3. Constables to expire December 31, 2024

#### 11.4. Resignations:

### 12. PETITIONS:

12.1. CCSP 23-16; Application from Christopher Anderson of Hannigan Engineering Inc. on behalf of their client SPI Solar, Inc for the installation of a large-scale ground mounted solar facility on land of Gagnon One Family Trust and Gagnon 2015 Trust located on several parcels of land off Lovers Lane in Haverhill

Hearing October 1, 2024

*Motion by Councilor Jordan, second Councilor Toohey*

*PASSED to be heard October 1<sup>st</sup>*

*Yeas 11, Nays 0*

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- 12.2.CCSP 24-10; Application from Melanie Chapman for a project in the WSPOD, Watershed Protection Overlay district, at 98 Brandy Brow rd; to demolish a 2-car garage (30' x 28') and reconstruct said garage – Adding 10' off back of the garage (40' x 28') and attaching the garage with a 2-story breezeway (10'x24') Hearing Sept 24, 2024

*Motion by Councilor Michitson, second Councilor Jordan*

*PASSED to be heard September 2th Yeas 11, Nays 0*

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- 12.3.**Applications Handicap Parking Sign:** *with Police approval*

- 12.4.**Amusement/Event Application** – *with Police approval*

- 12.4.1. EVNT 24-17, Marlene Stasinos for “Haverhill’s Woofstock” at 436 Salem st, September 14<sup>th</sup> from 10 am to 3 pm; a festival with a live band, dog costume contest, dog vendors, dog adoptions, apple picking and live dance demonstration *requesting any additional fees be waived*

Marlene Stasinos and Cindy Morgan appeared before the Council giving information on the upcoming dog event, Haverhill’s Woofstock, first time event at Chris’ Farm with a free event for all.

*Motion by Councilor Michitson to approve with any additional fees except the application fee, second Councilor Lewandowski*

*PASSED Yeas 11, Nays 0*

42-P

- 12.5.**Auctioneer License:**

- 12.6.**Tag Days:** *with Police approval*

- 12.7.**One Day Liquor License** – *with License Commission & Police approval*

- 12.8.**ANNUAL LICENSE RENEWALS:**

- 12.8.1. **Hawker Peddlers License- Fixed location** – *w/Police approval*

- 12.8.1.1. FIXD 24-4; Nicholas Soter to sell Italian Ice at 25 Washington sq; from 11 am to 8 pm

*Motion by Councilor Michitson, second Councilor Jordan*

*PASSED Yeas 11, Nays 0*

21-E

- 12.8.2. **Coin-Op License Renewals** – *with Police approval*

- 12.8.3. **Christmas Tree Vendor** – *with Police approval*



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12.8.4. **Taxi Driver Licenses for 2024:** *with Police approval*

12.8.4.1. TDL 24-16, Dennis Ethier, 143 Groveland st

*Motion by Councilor Jordan, second Councilor Michitson*

*PASSED Yeas 11, Nays 0*

63-M

12.8.4.2. TDL 24-18, Kasey Gordon, 136 Winter st

*Motion by Councilor Jordan, second Councilor Michitson*

*PASSED Yeas 11, Nays 0*

63-N

12.8.5. **Taxi/Limousine License** *with Police approval*

12.8.6. **Junk Dealer /Collector License** *with Police approval*

12.8.7. **Pool/Billiard**

12.8.8. **Bowling**

12.8.9. **Sunday Bowling**

12.8.10. **Buy & Sell Second Hand Articles** *with Police approval*

12.8.10.1. *Doris's Attic, Doris Segal, 121 Lafayette sq Unit 1*

*Motion by Councilor Michitson, second Councilor Jordan*

*PASSED Yeas 11, Nays 0*

8-D

12.8.11. **Buy & Sell Second Hand Clothing**

12.8.12. **Pawnbroker license** - *with police approval*

12.8.13. **Fortune Teller** *with - Police approval*

12.8.14. **Buy & Sell Old Gold** – *with Police approval*

12.8.15. **Roller Skating Rink**

12.8.16. **Sunday Skating**

12.8.17. **Exterior Vending Machines/Redbox Automated Retail, LLC**

12.8.18. **Limousine/Livery License/Chair Cars** *with Police approval*

### 13. MOTIONS AND ORDERS:

13.1. Order – Authorize payment of bills of the previous years and further authorize payment from current year departmental appropriations as listed:

<u>Vendor</u>	<u>Amount</u>	<u>Account</u>
Weston & Sampson	1,350.00	WWTP
Bridgestone Hosepower LLC	278.42	WWTP
Ring Central (2)	492.13	Constituent Services
N.E. Security Shredders LLC	3,577.95	Water Dept
MGR Electrical Contracting Inc	3,413.00	Public Property
Benevento	570.02	Water Dept



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Benevento

863.00

Water Dept

*Motion by Councilor McGonagle, second Councilor Jordan*

*PASSED*

*Yeas 11, Nays 0*

23-D

13.2 Order – Authorizing Mayor to accept \$5,492.24 gift of a Milwaukee Tools Cut-Off Saw from Merrimac Industrial Sales to the Haverhill Fire Department

Chief O'Brien stated Merrimac Industrial Sales reached out to the fire department wanting to do something for the department and gifted this saw which is a very nice saw. It is a very generous gift and thank them.

*Motion by Councilor McGonagle, second Councilor Toohey*

*PASSED*

*Yeas 11, Nays 0*

39-C

### 14. ORDINANCES (FILE 10 DAYS)

### 15. COMMUNICATIONS FROM COUNCILLORS:

### 16. UNFINISHED BUSINESS OF PRECEEDING MEETING:

### 17. RESOLUTIONS AND PROCLAMATIONS:

### 18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

Councilor Jordan announced that Bradford Swim Club is offering a Life Guard Course for free using funds from the Youth Services Mental Health account. Pat Core, Director of the Bradford Swim Club, said they already have about ten people signed up. Course starts next Monday, Tuesday, and Wednesday.

President Sullivan announced the City Council Special Permit training will be Monday, August 19<sup>th</sup> in the Council Chambers at 6 PM. It is open to the public. Will run about 90 minutes.

### 19. DOCUMENTS REFERRED TO COMMITTEE STUDY

### 20. LONG TERM MATTERS STUDY LIST

### 21. ADJOURN:

*Motion by Councilor Jordan, second Councilor Lewandowski*

*PASSED*

*Yeas 11, Nays 0*

Adjourned 21:03