



CITY OF HAVERHILL
CITY COUNCIL AGENDA

MAR 13 AM 11:36
HAVCITYCLERK

Tuesday, March 17, 2026, at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St, Room 202

In-Person/Remote Meeting: <https://meet.google.com/nbb-pdvf-zeh>

This meeting of Haverhill City Council will be held in-person at the location provided on this notice as its official meeting location pursuant to the Open Meeting Law. As the meeting is held in person at a physical location that is open and accessible to the public, the City Council is not required to provide remote access to the meeting. Members of the public are welcome to attend this in-person meeting. Please note that a live stream of the meeting is being provided only as a courtesy to the public, and the meeting will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. Those attending tonight's meeting should be aware that the meeting is being audio and video recorded by HCTV, The Eagle Tribune, and WHAV. Any audience members who wish to record any part of the meeting must inform the Council President who will announce the recording. This is to comply with the MA wiretap statute. Thank you.

1. **OPENING PRAYER**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES OF PRIOR MEETING**
4. **ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING:**
5. **COMMUNICATIONS FROM THE MAYOR:**

5.1. Mayor Barrett wishes to introduce *Downtown Events Coordinator*, Hailey Pearson, to discuss downtown events and city programming

5.2. Mayor Barrett submits an ordinance prohibiting cryptocurrency automated teller machines in the City of Haverhill

- 5.2.1. Ordinance re: that Part II (General Legislation) of the Code of the City of Haverhill, as amended, being and is further amended by adding the following:
Chapter 192 Prohibition on Cryptocurrency Automated Teller Machines (ATMs)

File 10 Days

5.3. Mayor Barrett submits the following order:

- 5.3.1. Order - Authorizing Mayor to accept a \$200.00 gift for the *Valentine's Day Luncheon* at the *Citizen's Center* from Fallon Community Health Plan to the *Council on Aging Department*

5.4. Mayor Barrett submits the following order:

- 5.4.1. Order - Authorizing Mayor to accept a \$200.00 gift for the *St. Patrick's Day Luncheon* at the *Citizen's Center* from Wingate Residences at Haverhill to the *Council on Aging Department*

5.5. Mayor Barrett submits the following order:

- 5.5.1. Order - Authorizing Mayor to accept a \$250.00 gift for the *St. Patrick's Day Luncheon* at the *Citizen's Center* from The Lowell Five Cent Savings Bank to the *Council on Aging Department*



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6. COMMUNICATIONS FROM COUNCILORS TO INTRODUCE AN INDIVIDUAL(S) TO ADDRESS THE COUNCIL:

6.1. President Jordan and Councilor Ferreira wish to introduce *Andrea Watson*, who has requested to discuss World Water Day, which is on March 22nd

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

8.1. **EROM-26-3-** Lisa DeMeo, *City Engineer*, requests to open the roadway for a new sewer service and water service for a single-family home, at 976 Broadway; which requires Boraczek Septic and Drain Inc. to excavate in the right of way

8.1.1. Order- approve the request to excavate at 976 Broadway

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

10. HEARINGS AND RELATED ORDERS:

10.1. **Doc 97 of 2025 – SPFL-25-3** – JT Couch for Creek Brook CML requests to store 19,000 gallons of Class IIIB edible shortening oil and 5,000 gallons of Class II diesel fuel in aboveground storage tanks at 30 Creek Brook Dr

Continued from February 24, 2026

10.2. **Doc 5-B of 2025-** Bill Pillsbury, *Economic Development and Planning Director*, requests Zoning Amendment- Battery Energy Storage System

Continued from February 24, 2026

Related communication from City Solicitor, Lisa Mead, to continue to April 7th

11. APPOINTMENTS:

11.1. **Confirming Appointments:**

11.1.1. *Board of Registrars of Voters*, Joseph LeBlanc, 18 Hawthorne St, expires May 1, 2027

11.2. **Non-Confirming Appointments: -Reappointment**

11.2.1. *License Commission*, Patrick Driscoll, 55 North Broadway, expires March 31, 2029

11.3. **Constables**

11.4. **Resignations**



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12. PETITIONS:

- 12.1. **Applications Handicap Parking Sign:** *with Police approval*
- 12.2. **Amusement/Event Application:** *with Police approval*
- 12.3. **Auctioneer License:**
- 12.4. **Tag Days:** *with Police approval*
- 12.5. **One Day Liquor License –with HPD approval**
- 12.6. **ANNUAL LICENSE RENEWALS:**

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

12.6.1.1. **FIXD-26-2-** Kenneth Zibolis for Bradford Common to sell hot dogs, sausages, burgers, fries, chicken tenders, and steak and cheese from 10 AM to 5 PM starting as soon as approved

12.6.1.2. **FIXD-26-3-** Kaycie McCarthy of Riverside-Bradford Baseball League, Inc. for Riverside Park to sell chips, packaged snacks, bottled beverages, and candy from 11 AM to 6 PM starting April 27, 2026

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

12.6.3. **Christmas Tree Vendor – with Police approval**

12.6.4. **Taxi Driver Licenses: with Police approval**

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

12.6.6. **Junk Dealer /Collector License - with Police approval**

12.6.6.1. **JUNK-26-1,** Eric Tetler for *Windfield Alloy, Inc.*, 81 Hale St (renewal)

12.6.6.2. **JUNK-25-3-** Michael Marc-Aurele of *Viking Recycled Materials, Inc.*, 115 Hale St (renewal)

12.6.7. **Pool/Billiard**

12.6.8. **Bowling**

12.6.9. **Sunday Bowling**

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

12.6.11. **Buy & Sell Second Hand Clothing with Police approval**

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

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

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

12.6.15. **Roller Skating Rink**

12.6.16. **Sunday Skating**

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

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



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13. MOTIONS AND ORDER:

14. ORDINANCES (FILE 10 DAYS):

- 14.1. Ordinance re: Vehicles and Traffic; Amend Ch 240, be further amended by **DELETING** the following to Ch 240, § 85 schedule B: Parking Restrictions and Prohibitions:

<u>LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
Wilson St: In front of # 212	No Parking	24-Hrs

(except for 1 24-hr handicap parking space)

File 10 Days

15. COMMUNICATIONS FROM COUNCILORS:

- 15.1. City Council President Jordan, Vice President Michitson, and the entire City Council wish to award Ted Gaiero with a Citation for Outstanding Citizenship in Haverhill
- 15.2. Vice President Michitson submits the summary of minutes and recommendations of the Planning and Development Committee meeting held on March 2, 2026 for acceptance and approval

16. UNFINISHED BUSINESS OF PRECEDING MEETING:

- 16.1. Mayor Barrett submits the following Ordinances:
 - 16.1.1. **Doc 1-Q** - Ordinance: Amend Chapter 216- Snow and Ice Removal, to further authorize enforcement
Filed March 4, 2026
 - 16.1.2. **Doc 1-QQ** - Ordinance: Amend Sections 1-16 of Articles 1, Chapters 1 General Provisions to increase the fines for violations of Chapter 16
Filed March 4, 2026
- 16.2. **Doc 26-A** - Mayor Barrett submits a loan order amendment for the Phase 2 Locke Street CSO Separation and Water System Improvements
 - 16.2.1. Loan Order- Appropriate \$ 18,570,700.00 to Phase 2 Locke Street area sewer, drain and water system improvements
Filed March 4, 2026



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- 16.3. **Doc 10-E** - Ordinance re: Vehicles and traffic; Amend Ch 240, be further amended by **ADDING** the following to § 240-85 schedule B: Parking Restrictions and Prohibitions:

LOCATION **REGULATION** **HOURS/ DAYS**

Blaisdell St:

In front of # 9 No Parking 24-Hrs
(except for the 1 24-hr handicap parking space)

Filed March 4, 2026

- 16.4. **Doc 1-K** - Mayor Barrett submits an Ordinance Relating to Sex Offenders which amends the previously accepted ordinance

16.4.1. Ordinance re: Sex Offenders: Amend Ch 189 § 189- 16

Continued from March 10, 2026

- 16.5. **Doc 20-A**- Mayor Barrett submits an Order to Authorize the Taking of Portion of 309 East Broadway

16.5.1. Order- That the City Council on behalf of the City votes to authorize the Mayor to acquire, purchase, take by eminent domain or otherwise a certain parcel of land located at 309 East Broadway, Haverhill, MA 01830, and containing approximately 5.3 acres being shown as “lot 2”, and permanent easement shown as “20’ Wide Access & Utility Easement Area = 1,990 S.F.” on that certain Plan of Land entitled “Plan of Land Located in Haverhill, Mass” dated January 8, 2025, and revised December 9, 2025, prepared by the Morin-Cameron Group, Inc. (the “Plan”) appended hereto, under the care, custody and control of the Department of Public Works, Water Division, for water supply purposes, from Joyce E. Hill, for the amount of \$917,019.00; And further to authorize the Mayor to grant an access easement to the record owner of said property shown as “20’ Wide Easement Area” on the Plan;” And further to authorize the Mayor to execute any and all documents and to take any other action necessary or convenient to carry out this.”

Continued from March 10, 2026

17. RESOLUTIONS AND PROCLAMATIONS:

- 17.1. Mayor Barrett presents the following proclamation:
Declaring March 17, 2026, as Irish American Heritage Month in the *City of Haverhill*

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS:

19. DOCUMENTS REFERRED TO COMMITTEE STUDY:

20. LONG TERM MATTERS STUDY LIST:

21. ADJOURN:

5.1

MELINDA E. BARRETT
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

MAR 19 AM 9:24
CITY CLERK

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERILLMA.GOV
WWW.HAVERHILLMA.GOV

March 12, 2026

To: City Council President Timothy J. Jordan and Members of the
Haverhill City Council

From: Mayor Melinda E. Barrett

Re: Discuss downtown events and city programming led by the
Downtown Events Coordinator – Downtown Events Coordinator
Hailey Pearson

Dear Mr. President and Members of the City Council:

I wish to introduce Downtown Events Coordinator Hailey Pearson to discuss
downtown events and city programming that she has led since her hiring.

Very truly yours,

Melinda E. Barret
Mayor

5.2

File 10 Days

MELINDA E. BARRETT
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.HAVERHILLMA.GOV

March 13, 2026

MAR 13 AM 9:11
HAVCITYCLERK

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council
From: Mayor Melinda E. Barrett
Re: Ordinance Prohibiting Cryptocurrency Automated Teller Machines

Dear Mr. President and Members of the City Council:

I respectfully submit the attached Ordinance prohibiting cryptocurrency automated teller machines in the City of Haverhill.

I recommend approval

Very truly yours,

Melinda E. Barrett
Mayor



Document

CITY OF HAVERHILL

In Municipal Council

Ordered:

MUNICIPAL ORDINANCE

CHAPTER 192

**AN ORDINANCE PROHIBITING CRYPTOCURRENCY
AUTOMATED TELLER MACHINES**

BE IT ORDAINED by the City Council of the City of Haverhill that Part II (General Legislation) of the Code of the City of Haverhill, as amended, being and is hereby further amended by adding the following:

Chapter 192 Prohibition on Cryptocurrency Automated Teller Machines (ATMs)

A. Purpose and Intent

The City finds that unregulated Cryptocurrency ATMs pose risks to consumers, including financial fraud, money laundering, and lack of recourse for users. Cryptocurrency ATMs convert currency into virtual currency instantaneously and irreversibly, which exposes the most vulnerable of our residents to unnecessary risk. The City further finds that the current absence of sufficient federal and state consumer protections and regulatory oversight for such devices necessitates a municipal prohibition to safeguard residents and preserve public safety. The purpose of this article is to prohibit the use of Cryptocurrency ATMs within the City in an effort to protect our residents.

B. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

- (1) **Cryptocurrency:** A digital or virtual currency that uses cryptography for security and operates independently of a central bank, including but not limited to Bitcoin, Bitcoin Cash, Coinhub, Dash, Litecoin, Ripple, ZCash, Ethereum, and similar blockchain-based tokens. Cryptocurrency is a digital representation of value used as a medium of exchange, a unit of account, or a store of value, but does not have legal tender status as recognized by the United States Government.
- (2) **Cryptocurrency Automated Teller Machine (Cryptocurrency ATM):** Any self-service kiosk, machine, or device installed in a publicly accessible location that enables users to buy, sell, exchange, or transfer cryptocurrency through the machine

using cash, debit card, credit card, or other means of payment.

C. Prohibition of Cryptocurrency Automated Teller Machines

No person, business, or entity shall install, operate, maintain, or allow the installation or operation of a Cryptocurrency ATM within the geographic boundaries of the City. All Cryptocurrency ATMs existing in the City as of the effective date of this chapter must be removed within sixty (60) days after the effective date.

D. Enforcement and Penalties

This chapter shall be enforced by the Police Department or the Inspectional Services Department.

Any person, business, or entity found to be in violation of this chapter shall be subject to a fine of three hundred dollars (\$300.00) per day, per device. Such fines may be imposed and collected by the enforcing officers pursuant to the non-criminal disposition process set forth in G.L. c. 40, § 21D.

Each day during which a violation continues shall constitute a separate offense.

E. Severability

If any provision of this chapter is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950

978.463.7700
www.mtclawyers.com

March 9, 2026

By Electronic Delivery

Melinda Barrett, Mayor
City of Haverhill
4 Summer Street,
Room 204
Haverhill, MA 01830

Re: An Ordinance Prohibiting Cryptocurrency Automated Teller Machines (ATMs)

Dear Mayor Barrett:

Reference is made to the above captioned matter. In that connection, the City has requested that we draft an ordinance prohibiting cryptocurrency automated teller machines (ATMs) in the City.

The ordinance is intended to protect residents from the potential financial and public safety risks associated with unregulated cryptocurrency ATMs. The ordinance prohibits the installation, operation, or maintenance of cryptocurrency ATMs within the City and requires that any existing devices be removed within sixty (60) days of the ordinance's effective date. Enforcement is assigned to the Police Department and Inspectional Services Department, and violations are subject to a fine of \$300 per day, per device, with each day constituting a separate offense.

Please know that the Attorney General has found these ordinances to be enforceable and not preempted by state law.

The draft ordinance is enclosed for your review and consideration.

Sincerely,

/s/ Lisa L. Mead
Atty. Lisa Mead, City Solicitor

Enclosure(s)

cc: City Council

New Bedford Office
227 Union Street
New Bedford, MA 02740
Phone 774.206.6857

Millis Office
730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950

978.463.7700
www.mtclawyers.com

March 9, 2026

By Electronic Delivery

Tim Jordan
City Council President
Haverhill City Council
4 Summer Street,
Room 204
Haverhill, MA 01830

Re: An Ordinance Prohibiting Cryptocurrency Automated Teller Machines (ATMs)

Dear Mr. Sullivan:

Reference is made to the above captioned matter. In that connection, the City has requested that we draft an ordinance prohibiting cryptocurrency automated teller machines (ATMs) in the City.

The ordinance is intended to protect residents from the potential financial and public safety risks associated with unregulated cryptocurrency ATMs. The ordinance prohibits the installation, operation, or maintenance of cryptocurrency ATMs within the City and requires that any existing devices be removed within sixty (60) days of the ordinance's effective date. Enforcement is assigned to the Police Department and Inspectional Services Department, and violations are subject to a fine of \$300 per day, per device, with each day constituting a separate offense.

Please know that the Attorney General has found these ordinances to be enforceable and not preempted by state law.

The draft ordinance is enclosed for your review and consideration.

Sincerely,

/s/ Lisa L. Mead

Atty. Lisa Mead, City Solicitor

Enclosure(s)

cc: Melinda E. Barrett, Mayor

New Bedford Office
227 Union Street
New Bedford, MA 02740
Phone 774.206.6857

Millis Office
730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

Thank you for placing your order with us.

MAR 13 PM 1:10
HAVCITYCLERK

From North of Boston <noreply@wave2adportal.com>

Date Fri 3/13/2026 1:06 PM

To CityClerk <cityclerk@haverhillma.gov>

Cc cmacdonald@northofboston.com <cmacdonald@northofboston.com>; Kaitlin Wright <kwright@haverhillma.gov>; Natalia Hernandez <NHernandez@HaverhillMa.gov>

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

Job Details

Order Number: **W0142551**
Business Type: **All Other Public Notices**
Notice Size: **Public Notices**
Notice Estimate: **\$276.93**
Referral Code: **Chapter 192 Cryptocurrency Ord.**

Schedule for notice number W01425510

Thu Mar 19, 2026
Haverhill Gazette Public All Zones
Notices

Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

5.3



MELINDA E. BARRETT
MAYOR

**CITY OF HAVERHILL
MASSACHUSETTS**

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.HAVERHILLMA.GOV

March 12, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

RE: Order Authorizing City Council to Accept a Gift of \$200.00 Dollars from Fallon Community Health Plan for the Valentine's Day Luncheon to Council on Aging Department.

Dear Mr. President and Members of the Haverhill City Council:

Please see attached an order authorizing City Council to accept a gift of \$200.00 dollars for the Valentine's Day Luncheon at the Citizen's Center from Fallon Community Health Plan to Council on Aging Department.

I recommend approval.

Sincerely,

Melinda E. Barrett
Mayor

MEB/em



Document

CITY OF HAVERHILL

In Municipal Council

MAR 19 09:24
HAYCITYCLERK

Ordered:

GIFT ACCEPTANCE

At a regularly convened meeting of the City Council of the City of Haverhill, held on the 17th day of March 2026, it was voted as follows:

That the City Council of the City of Haverhill, duly elected, qualified, and acting as such, on behalf of the City votes to accept a gift of two-hundred dollars (\$200.00) for the Valentine's Day Luncheon at the Citizens Center. Consistent with the purpose of the donation, as stated in the letter from Fallon Community Health Plan addressed to the City of Haverhill dated February 2026, the Gift shall be used by the Council on Aging Department.

YEAS: _____

NAYS: _____

ABSENT: _____

PASSED IN COUNCIL: _____

A True Record, Attest:

Date Approved

Kaitlin M. Wright, City Clerk

Melinda E. Barrett, Mayor

VENDOR NO.		CHECK NO.	
45016		539542	
VENDOR NAME		PAGE	
CITY OF HAVERHILL		200.00	
DATE	INVOICE NO.	DESCRIPTION	DISCOUNT
Feb 9, 2026	coa007	donation/sponsorship - valentines d	.00
DATE	INVOICE NO.	DESCRIPTION	DISCOUNT
Feb 26, 2026			
		NET AMOUNT	
		200.00	

Total: .00 \$200.00

1 Mercantile Street, Ste. 400
Worcester, MA 01608
508-785-2100



Santander Bank
Boston, MA

602768
2313

539542

DATE	CHECK NO.	AMOUNT
26-Feb-2026	539542	*****\$200.00

PAY Two Hundred Dollars And Zero Cents*****

TO THE ORDER OF

CITY OF HAVERHILL
COUNCIL ON AGING
10 WELCOME ST
HAVERHILL, MA 01830

Manuel A. Lopez

AUTHORIZED SIGNATURE





MELINDA E. BARRETT
MAYOR

CITY OF HAVERHILL
MASSACHUSETTS

5,4

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
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March 12, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

RE: Order Authorizing City Council to Accept a Gift of \$200.00 Dollars from Wingate Residences at Haverhill for the St. Patrick's Day Luncheon to Council on Aging Department.

Dear Mr. President and Members of the Haverhill City Council:

Please see attached an order authorizing City Council to accept a gift of \$200.00 dollars for the St. Patrick's Day Luncheon at the Citizen's Center from Wingate Residences at Haverhill to Council on Aging Department.

I recommend approval.

Sincerely,

Melinda E. Barrett
Mayor

MEB/em



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YEAS: _____

NAYS: _____

ABSENT: _____

PASSED IN COUNCIL: _____

A True Record, Attest:

Date Approved

Kaitlin M. Wright, City Clerk

Melinda E. Barrett, Mayor

1-22-26

To Whom it May Concern:

Wingate Residences at Haverhill has donated \$200 to the Haverhill Council on Aging for the sponsorship of the St. Patrick's Day Luncheon. We enjoy being included in your programming and look forward to more opportunities to work together.

Kind Regards,

Stacey Blakeslee

Director of Community Relations

Wingate Residences at Haverhill

TRUE WATERMARK PAPER - HOLD TO LIGHT TO VIEW - HEAVY SENSITIVE PINK IMAGE DISAPPEARS WITH HEAT

WSL Haverhill AL LLC

10 Residences Way
Haverhill, MA 01830

Needham Bank
1063 Great Plain Ave
Needham, MA 02492

53-7353/2113

5177

02/19/2026

Pay ***** TWO HUNDRED AND 00/100 DOLLARS

\$200.00

Pay to the Haverhill Council on Aging

Order of 10 WELCOME ST

Haverhill, MA 01830

(AUTHORIZED SIGNATURE)

DATE: 02/19/2026 CK#: 5177 TOTAL: \$200.00 BANK: 129 Demand Deposit Account (129_op)
PAYEE: HAVERHILL COUNCIL ON AGING (V0001609)

Property Account

Invoice - Date

Description

Amount

129 6018

01222026 - 01/22/2026

200.00

200.00



MELINDA E. BARRETT
MAYOR

CITY OF HAVERHILL
MASSACHUSETTS

5.5

CITY HALL, ROOM 100
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HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
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March 13, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

RE: Order Authorizing City Council to Accept a Gift of \$250.00 Dollars from The Lowell Five Cent Savings Bank for the St. Patrick's Day Luncheon to Council on Aging Department.

Dear Mr. President and Members of the Haverhill City Council:

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I recommend approval.

Sincerely,

Melinda E. Barrett
Mayor

MEB/em



Document

CITY OF HAVERHILL

In Municipal Council

42194924
CITY CLERK

Ordered:

GIFT ACCEPTANCE

At a regularly convened meeting of the City Council of the City of Haverhill, held on the 17th day of March 2026, it was voted as follows:

That the City Council of the City of Haverhill, duly elected, qualified, and acting as such, on behalf of the City votes to accept a gift of two-hundred fifty dollars (\$250.00) for the St. Patrick's Day Luncheon at the Citizens Center. Consistent with the purpose of the donation, as stated in the letter from The Lowell Five Cent Savings Bank addressed to the City of Haverhill dated March 2026, the Gift shall be used by the Council on Aging Department.

YEAS: _____

NAYS: _____

ABSENT: _____

PASSED IN COUNCIL: _____

A True Record, Attest:

Date Approved

Kaitlin M. Wright, City Clerk

Melinda E. Barrett, Mayor

The Lowell Five Cent Savings Bank

Haverhill Council on Aging

Document Date 3/4/2026 Document Number 2026 ST PATRICK'S DAY LUNCHEON Description

37094 ~~009376094~~

Base Amount	Net Amount
\$ 250.00	\$ 250.00
\$ 250.00	\$ 250.00
Total	\$ 250.00

THIS CHECK HAS A COLORED BACKGROUND AND CONTAINS MULTIPLE SECURITY FEATURES - SEE BACK FOR DETAILS

037094

LOWELL FIVE BANK

PO Box 440, Lowell, MA 01853

DATE
3/5/2026

AMOUNT
** 250.00**

TO THE Haverhill Council on Aging
ORDER OF Two Hundred Fifty and 00/100
PAY

Haverhill Council on Aging
10 WELCOME STREET
HAVERHILL, MA 01830

TWO SIGNATURES REQUIRED OVER \$20,000.00



53-71332113

6.1

CITY COUNCIL

- Timothy J. Jordan, *President*
- John A. Michitson, *Vice President*
- Thomas J. Sullivan
- Colin F. LePage
- Melissa J. Lewandowski
- Catherine P. Rogers
- Shaun P. Toohy
- Michael S. McGonagle
- Daniel R. Diodati
- Devan Ferreira
- Ralph T. Basiliere



CITY HALL, ROOM 204
 4 SUMMER STREET
 TELEPHONE: 978-374-2328
 FACSIMILE: 978-374-2329
WWW.CITYOFHAVERHILL.GOV
CITYCOUNCIL@HAVERHILLMA.GOV

CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

March 13, 2026

MAR 13 AM 8:32
HAVCITYCLERK

To: Members of the City Council

President Jordan and Councilor Ferreira wish to introduce Andrea Watson, who has requested to discuss World Water Day, which is on March 22nd.

Timothy J. Jordan

 President Timothy J. Jordan TJ

Devan Ferreira

 Councilor Devan Ferreira DF

(Meeting: 3.17.26)



8.1

Haverhill

Lisa DeMeo, City Engineer
Phone: 978-374-2335
ldemeo@haverhillma.gov

MAR 9 PM 2:11
HAVCITYCLERK

March 9, 2026

MEMO TO: CITY COUNCIL PRESIDENT TIMOTHY JORDAN AND MEMBERS OF THE CITY COUNCIL

SUBJECT: ROAD OPENING, 976 BROADWAY, EROM-26-3

As the subject street was paved within the last 5 years, Council approval is required to open the roadway for a new sewer service and water service for a single family home, at 976 Broadway.; which requires Boraczek Septic and Drain Inc. to excavate in the right of way. I am supportive of this request, and The Engineering Office will require proper trench compaction and either infrared treatment or proper repaving over the limits of new trenching.

The Winter Moratorium on street openings is in effect until April 15. Street opening permits will be allowed after April 15, weather permitting.

Please contact me if you have any questions.

Sincerely,

Lisa DeMeo
City Engineer

C: Mayor Barrett, K. Wright, R. Ward, R. Kimball



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

That the City Council approve the requests to excavate at the following location for a new sewer and water service line: Broadway #976

The roadway has been paved in the last 5 years and in accordance with Chapter 222, Section 11, Restrictions on future paving of the Municipal Ordinances, Council approval is necessary.

Document # 97

JT Couch for Creek Brook CML requests to store 19,000 gallons of Class IIIB edible shortening oil and 5,000 gallons of Class II Diesel Fuel in above ground storage tanks at 30 Creek Brook Dr

Hearing continued from December 16, 2025

Related communication from applicant requesting continuance to February 3, 2026

IN CITY COUNCIL: January 13, 2026

CONTINUED TO: February 3, 2026

10 YEAS, 0 NAYS, 1 ABSENT

Attest: Kaitlin M. Wright
Kaitlin M. Wright, CMC
City Clerk

IN CITY COUNCIL: FEBRUARY 3 2026
CONTINUED TO: FEBRUARY 24 2026

ATTEST: Kaitlin M. Wright
KAITLIN M. WRIGHT, CMC
CITY CLERK

IN CITY COUNCIL: FEBRUARY 24 2026 7 YEAS, 0 NAYS, 4 ABSENT
CONTINUED TO: MARCH 17, 2026

ATTEST: Kaitlin M. Wright
KAITLIN M. WRIGHT, CMC
CITY CLERK

Document # 97

101

Doc 97 - SPFL-25-3; JT Couch for *Creek Brook CML* requesting to store 19,000 gallons of Class IIIB edible shortening oil in an above ground storage tank and 12,700 gallons of Class II diesel fuel in above ground storage tanks

IN CITY COUNCIL: November 18, 2025

11 Yeas, 0 Nays,

HEARING SCHEDULED FOR DECEMBER 16, 2025

Attest: Kaitlin M. Wright
Kaitlin M. Wright, CMC
City Clerk

IN CITY COUNCIL: DECEMBER 16, 2025
HEARING CONTINUED TO JANUARY 13, 2025 WITH REQUIREMENT THAT APPLICANT CONNECT WITH INSPECTIONAL SERVICES AND BOARD OF HEALTH TO HAVE AIR QUALITY OF PLANT REVIEWED

7 YEAS. 0 NAYS, 4 ABSENT

ATTEST: Kaitlin M. Wright
kaitlin M. WRIGHT, CITY CLERK

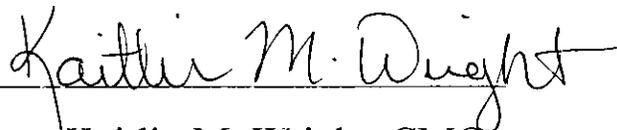
Document #97

SPFL-25-3; JT Couch for *Creek Brook CML* requesting to store 19,000 gallons of Class IIIB edible shortening oil and 5,000 gallons of Class II Diesel Fuel in above ground storage tanks at 30 Creek Brook Dr

IN CITY COUNCIL: October 28, 2025

CONT'D TO DECEMBER 16 2025

10 YEAS, 0 NAYS, 1 ABSENT,

Attest: 
Kaitlin M. Wright, CMC
City Clerk

Document # 97

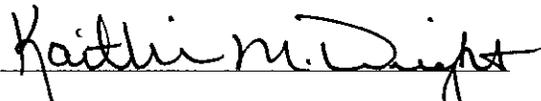
JT Couch for Creek Brook CML requesting to store 19,000 gallons of Class 3B edible shortening oil in an above ground storage tank at 30 Creek Brook Dr

IN CITY COUNCIL: SEPTEMBER 16, 2025

HEARING SCHEDULED FOR: OCTOBER 28, 2025

11 YEAS, 0 NAYS, 0 ABSENT, 0 ABSTENTATION

Attest:



Kaitlin M. Wright, CMC
City Clerk

Kaitlin Wright

From: JT <JT@creekbrookcml.com>
Sent: Wednesday, February 4, 2026 11:44 AM
To: Kaitlin Wright
Cc: Lori Robertson
Subject: Re: Continuance

Follow Up Flag: Follow up
Flag Status: Flagged

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

Hi Kaitlin,

We would prefer a meeting with full attendance and would request the March 17th meeting please.

Thank you!

Warm Regards,
JT Couch
Director of Engineering and Maintenance
Creek Brook CML
30 Creek Brook Drive | Haverhill, MA 01832
O: (978)-207-4005
M: (978)-945-1997
Mail to: jt@creekbrookcml.com
www.creekbrookcml.com



From: Kaitlin Wright <kwright@haverhillma.gov>
Sent: Wednesday, February 4, 2026 10:19 AM
To: JT <JT@creekbrookcml.com>
Cc: Lori Robertson <lrobertson@haverhillma.gov>
Subject: RE: Continuance

JT,

The council voted last night to continue your hearing to the requested date of February 24th.

I did want to let you know that we have two councilors who have indicated that they will be unable to attend the meeting on the 24th – there may be one additional councilor unable to attend (TBD) as they are recovering from surgery.

Kaitlin Wright

From: JT <JT@creekbrookcml.com>
Sent: Tuesday, December 23, 2025 9:57 AM
To: Kaitlin Wright
Subject: Continuance

10.2

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

Hi Kaitlin,

We're looking to get a continuance to the February 3rd meeting please, because of the holidays we would like more time.

Thank you,
JT Couch
Director of Engineering and Maintenance
Creek Brook CML
30 Creek Brook Drive | Haverhill, MA 01832
O: (978)-207-4005
M: (978)-945-1997
Mail to: jt@creekbrookcml.com
www.creekbrookcml.com

DEC 23 AM 9:59
HAUCITYCLERK





FP-002A
(Rev. 6/23)

The Commonwealth of Massachusetts
City/Town of Haverhill

Application For License

Massachusetts General Law, Chapter 148 §13

New License Amended License

GIS Coordinates
<u>42.7935</u>
LAT.
<u>71.1233</u>
LONG.
License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 30 Creek Brook Dr.
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: Mar Fiber Tech Two LLC

Address of Land Owner: 20 Pickering Street Needham MA, 02492

Use and Occupancy of Buildings and Structures: Food Manufacturing

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

Attach a copy of the current license

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, Cubic feet	CONTAINER UST, AST, IBC, drums
Edible Shortenings and Oils	Class 3B	19,000	Gallons	AST
Diesel Fuel	Class 2	5,000	Gallons	AST
Diesel Fuel	Class 2	7,700	Gallons	AST

Total quantity of all flammable liquids to be stored: N/A

Total quantity of all combustible liquids to be stored: 31,700 Gallons

Total quantity of all flammable gases to be stored: N/A

Total quantity of all flammable solids to be stored: N/A

LP-gas (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: N/A

List sizes and capacities of all aboveground containers used for storage: _____

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: N/A

List sizes and capacities of all underground containers used for storage: _____

Total aggregate quantity of all LP-gas to be stored: N/A

Fireworks (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: N/A Type/class of magazine used for storage: N/A

❖ Maximum amount (in pounds) of Class 1.4G: N/A Type/class of magazine used for storage: N/A

❖ Maximum amount (in pounds) of Class 1.4: N/A Type/class of magazine used for storage: N/A

Total aggregate quantity of all classes of fireworks to be stored: _____

Explosives (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: N/A Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.2: N/A Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.3: N/A Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: N/A Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.5: N/A Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.6: N/A Number of magazines used for storage: _____

I, Joseph Theodore Couch IV, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature Joseph Theodore Couch IV Date 11/14/2025 Name Joseph Theodore Couch IV

PLEASE NOTE THAT ONLY APPLICATIONS WITH ORIGINAL WET SIGNATURES WILL BE ACCEPTED. PHOTOCOPIES OF APPLICATIONS WILL NOT BE PROCESSED.

Fire Department Use Only

I, Eric M. TARDY, Head of the HAVERHILL Fire Department endorse this application with my

Approval Disapproval

Signature of Head of the Fire Department [Signature]

Date 11/18/25

Recommendations: Follow all code requirements & BEST PRACTICES ASSOCIATED WITH THE USE, STORAGE & MAINTENANCE OF TANKS & PROCESS

10.2

Special Permit - Flammable Fuel Storage

SPFL-25-3

Submitted On: Aug 15, 2025

Applicant

👤 JT Couch
☎ 973-650-6060
@ jt@creekbrookcml.com

Primary Location

30 CREEK BROOK DR
Haverhill, MA 01832

Important: Please Read Before Starting Your Application

Applicant Information

Is this application a new license or an amendment to an existing license? New	If amendment, please indicate date of original license -
IF OTHER, please specify -	What is Your Role in this Process? Representative of Applicant
Applicant or Business/Firm Phone 9736506060	Applicant or Business/Firm Name Creek Brook CML
Applicant or Business/Firm City Haverhill	Applicant or Business/Firm Address 30 Creek brook Dr.
Applicant or Business/Firm Zip Code 01832	Applicant or Business/Firm State Massachusetts
Name of Licensee Mark Cafua	Business Structure Corporation
Contact Information for Licensee (Email and Phone Number) jt@creekbrookcml.com	Address of Licensee 30 Creek Brook Dr.

OCT 24 AM 8:19
HAVERHILL CITY CLERK

Land Information

Location of Land 30 Creek Brook Dr.	Owner of Land Mar Fiber Tech Two LLC
Address of Land Owner 20 Pickering ST. Needham MA 02492	Use and Occupancy of Buildings and Structures Food Manufacturing
GIS Coordinants 548- 1 -3c-2A-2	

Flammable and Combustible Liquids, Flammable Gases, and Solids

Product Name Edible shortening oil	Class of Flammable or Combustible Class 2B
Maximum Quantity of Tank Storage 15000	Units Gallons
Container	IF OTHER, please specify

Aboveground Storage Tank

--

Total quantity of all flammable liquids to be stored

Total quantity of all combustible liquids to be stored

0

15000

Total quantity of all flammable gases to be stored

Total quantity of all flammables solids to be stored

0

0

LP Gas or Propane Information

Will you have LP gas or propane?

No

Explosives Information

Will you have explosives?

No

Emergency Contact Information

Emergency Contact Name

JT Couch

Emergency Contact Phone Number

9736506060

Acknowledgement

I, _____, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

true

Electronically Sign Here:

Joseph Theodore Couch IV

Signor's Role

Representative of Applicant

12.1

SPFL-25-3

Special Permit - Flammable Fuel Storage

Status: Active
Submitted On: 8/15/2025

Primary Location

30 CREEK BROOK DR
Haverhill, MA 01832

Owner

MAR FIBERTECH TWO LLC
PICKERING ST, STE 200 20 NEEDHAM,
MA 02492

Applicant

 JT Couch
 973-650-6060
 jt@creekbrookcml.com
 30 creek brook dr
Haverhill, MA 01832

Applicant Information

NOV 14 AM 11:00
HAVCITYCLERK

Is this application a new license or an amendment to an existing license?*

New

If amendment, please indicate date of original license

What is Your Role in this Process?*

Representative of Applicant

IF OTHER, please specify

Applicant or Business/Firm Name*

Creek Brook CML

Applicant or Business/Firm Phone*

9736506060

Applicant or Business/Firm Address*

30 Creek brook Dr.

Applicant or Business/Firm City*

Haverhill

Applicant or Business/Firm State*

Massachusetts

Applicant or Business/Firm Zip Code*

01832

Business Structure*

Corporation

Name of Licensee*

Mark Cafua

Address of Licensee*

30 Creek Brook Dr.

Contact Information for Licensee (Email and Phone Number)*

jt@creekbrookcml.com

Land Information

Location of Land* 

30 Creek Brook Dr.

Owner of Land*

Mar Fiber Tech Two LLC

Address of Land Owner*

20 Pickering ST. Needham MA 02492

Use and Occupancy of Buildings and Structures*

Food Manufacturing

GIS Coordinants* ⓘ

548- 1 -3c-2A-2

Flammable and Combustible Liquids, Flammable Gases, and Solids

Product Name*

Edible shortening oil and diesel fuel

Class of Flammable or Combustible*

Class IIIB and Class II

Maximum Quantity of Tank Storage*

31,700

Units* ⓘ

Gallons

Container* ⓘ

Aboveground Storage Tank

IF OTHER, please specify

Total quantity of all flammable liquids to be stored*

0

Total quantity of all combustible liquids to be stored*

31,700

Total quantity of all flammable gases to be stored*

0

Total quantity of all flammables solids to be stored*

0

LP Gas or Propane Information

Will you have LP gas or propane?*

No

Explosives Information

Will you have explosives?*

No

Emergency Contact Information

Emergency Contact Name*

JT Couch

Emergency Contact Phone Number*

9736506060

Acknowledgement

I, _____, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.*



Electronically Sign Here:*

Joseph Theodore Couch IV

Signor's Role*

Representative of Applicant

Attachments

	Plot Plan of the Property C120 Site Layout and Materials Plan - Overall 10.16.24 Const. Rev2.pdf Uploaded by JT Couch on Aug 15, 2025 at 12:54 PM	REQUIRED
	Sketch of tank location on property Creek Brook CML_Overall Plan w Equip_20240918 (With Moline Equipment 06-17-2025) 2.pdf Uploaded by JT Couch on Aug 15, 2025 at 12:38 PM	REQUIRED
	Proof of Abutter Notification AButters notification .docx Uploaded by JT Couch on Aug 15, 2025 at 12:56 PM	REQUIRED
	Detailed Written Summary of Project Application for Tank license - project summary.docx Uploaded by JT Couch on Aug 15, 2025 at 12:34 PM	REQUIRED
	Shortening SDS.pdf Shortening SDS.pdf Uploaded by JT Couch on Aug 15, 2025 at 12:36 PM	

Fire Chief Approval

Record No.SPFL-25-3

Status Completed Became Active August 15, 2025

Assignee Eric Tarpy Due Date None

Primary Location

30 CREEK BROOK DR
Haverhill, MA 01832

Owner

MAR FIBERTECH TWO LLC
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

Applicant

 JT Couch
 973-650-6060
 jt@creekbrookcml.com
 30 creek brook dr
Haverhill, MA 01832

Messages

Eric Tarpy August 26, 2025 at 3:11 pm

Waiting on updated FP- 002A form to be sent to office for Fire Dept. signature.

JT Couch August 26, 2025 at 3:25 pm

Hello, I just sent it over to Private Belfiore and uploaded it to the portal as well.

JT Couch August 27, 2025 at 3:05 pm

Hi I see the form was signed off on, do I need to send to anyone for further approval or will it automatically switch from in progress to approved?

Kaitlin Wright September 2, 2025 at 1:34 pm

@Eric Tarpy form FP-002A is attached under attachments and awaits the Fire Chief's signature.

Brian Belfiore  Internal September 2, 2025 at 4:22 pm

@Kaitlin Wright signed copy attached.

Eric Tarpy September 3, 2025 at 8:14 am

Applicant to apply for permit to exercise license. Subject to all code requirements.

Kaitlin Wright September 3, 2025 at 2:18 pm

Hearing will be announced at September 16th Council meeting. Application will be heard before Council on October 28th meeting at 7 PM.

Step Activity

OpenGov system activated this step	08/15/2025 at 12:58 pm
OpenGov system assigned this step to Robert O'Brien	08/15/2025 at 12:58 pm
Eric Tarpay reassigned this step from Robert O'Brien to Eric Tarpay	08/26/2025 at 11:22 am
Eric Tarpay approved this step	09/03/2025 at 8:13 am

Tax Check

Record No.SPFL-25-3

Status Completed

Became Active August 15, 2025

Assignee Lynn Spitalere

Due Date None

Primary Location

30 CREEK BROOK DR
Haverhill, MA 01832

Owner

MAR FIBERTECH TWO LLC
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

Applicant

 JT Couch
 973-650-6060
 jt@creekbrookcml.com
 30 creek brook dr
Haverhill, MA 01832

Messages

No comments yet.

Step Activity

OpenGov system activated this step	08/15/2025 at 12:58 pm
Kaitlin Wright assigned this step to Lynn Spitalere	08/19/2025 at 11:10 am
Lynn Spitalere approved this step	08/21/2025 at 4:36 pm

Water Bill Check

Record No.SPFL-25-3

Status Completed

Became Active August 19, 2025

Assignee Elizabeth Remmes

Due Date None

Primary Location

30 CREEK BROOK DR
Haverhill, MA 01832

Owner

MAR FIBERTECH TWO LLC
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

Applicant

 JT Couch
 973-650-6060
 jt@creekbrookcml.com
 30 creek brook dr
Haverhill, MA 01832

Messages

No comments yet.

Step Activity

Kaitlin Wright assigned this step to Elizabeth Remmes	08/19/2025 at 11:11 am
Kaitlin Wright activated this step	08/19/2025 at 11:11 am
Elizabeth Remmes approved this step	08/19/2025 at 11:30 am

City Clerk Review

Record No.SPFL-25-3

Status Completed

Became Active September 3, 2025

Assignee Kaitlin Wright

Due Date None

Primary Location

30 CREEK BROOK DR
Haverhill, MA 01832

Owner

MAR FIBERTECH TWO LLC
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

Applicant

 JT Couch
 973-650-6060
 jt@creekbrookcml.com
 30 creek brook dr
Haverhill, MA 01832

Messages

Kaitlin Wright August 28, 2025 at 1:18 pm
Please provide GIS coordinates (latitude and longitude) for where the tank/tanks will be stored.

JT Couch August 28, 2025 at 3:13 pm
The coordinates for the shortening tank are (42.7935° N, 71.1233° W).

Kaitlin Wright August 28, 2025 at 3:23 pm
Thank you - I added the coordinates to the application and reuploaded.

JT Couch August 28, 2025 at 3:40 pm
Thank you!

Kaitlin Wright September 17, 2025 at 8:48 am
If there are any further additions to the application, please ensure to notify me directly as well so I can ensure the updated information is relayed to the City Council.

Kaitlin Wright October 17, 2025 at 9:22 am
Good morning JT, I spoke with the Fire Department yesterday and they stated there is an additional 7,000 gallon diesel tank on property. Is that correct? Please let me know asap.

JT Couch October 17, 2025 at 12:26 pm
Hi Kaitlin, yes the GC made me aware of that recently. I thought it was off of natural gas but it is not. Do I need to amend anything?

Kaitlin Wright October 17, 2025 at 1:00 pm
Yes, the application will need to be amended.
Unfortunately, I will have to re-announce before Council the amount being stored, re-advertise and re-notify the abutters. The MGL that governs this requires at least 7 days notice prior to the hearing. The hearing will be have to be continued to a later date.
Please provide an updated application with any additional documents/paperwork that show the additional tank. I can re-announce at the 28th meeting, but we will need to continue the hearing to a later date - likely December 9th to give us time to advertise and you time to re-notify the abutters.

Kaitlin Wright October 21, 2025 at 11:38 am
The Fire Department informed me that there is a third diesel tank on site that was not included on your application. This needs to be updated to reflect the additional diesel tank. However, the hearing will need to be continued from the October 28th date now as abutters will need to be re-notified with an updated notification and the advertisement will need to be updated, as well. The MGL that governs flammable storage applications requires that this notice happen at least 7 days prior to the hearing and since a new, updated application has yet to be received, we cannot move forward with the updated abutter notification and advertisement. Please get me a completed, updated application that reflects all tanks on site as soon as possible so we can work together to schedule a new hearing date. Our council calendar is filling up very quickly, and it is highly likely we will not be able to fit you in for another hearing date until the December 16th meeting.

Kaitlin Wright October 22, 2025 at 1:49 pm
Spoke with applicant JT Couch on the phone. JT indicated they will continue with the hearing on 10/28 and will seek approval for the 19,000 gallon shortenings and oil tank and the 5,000 gallon diesel tank. They do not presently have the 7,000 gallon diesel tank on site. Applicant is aware that they will need to reapply for an amendment to the license (if granted) when they are ready to install the additional 7,000 gallon diesel tank.

Step Activity

OpenGov system activated this step	09/03/2025 at 8:13 am
OpenGov system assigned this step to Rose Leonard-Flynn	09/03/2025 at 8:13 am
Kaitlin Wright reassigned this step from Rose Leonard-Flynn to Kaitlin Wright	09/03/2025 at 2:14 pm
Kaitlin Wright approved this step	09/03/2025 at 2:14 pm

City Clerk – Hearing Date Set

Record No.SPFL-25-3

Status Completed Became Active September 3, 2025
Assignee Kaitlin Wright Due Date None

Primary Location

30 CREEK BROOK DR
Haverhill, MA 01832

Owner

MAR FIBERTECH TWO LLC
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

Applicant

 JT Couch
 973-650-6060
 jt@creekbrookcml.com
 30 creek brook dr
Haverhill, MA 01832

Messages

Kaitlin Wright September 3, 2025 at 2:20 pm
Hearing will be announced at September 16th Council meeting. Application will be heard before Council on October 28th meeting at 7 PM

Kaitlin Wright September 3, 2025 at 2:21 pm
Application states 19,000 gallons, but written summary still shows 15,000 gallons. It would be helpful if the summary could be updated or something could be added to reflect/explain the change for the additional gallons.

JT Couch September 3, 2025 at 4:46 pm
Hi Kaitlin I have just uploaded a new summary and tried to put a explanation at the top, I also left a brief note on its submission details. Thank you!

Step Activity

- OpenGov system activated this step 09/03/2025 at 2:14 pm
- OpenGov system assigned this step to Maria Bevilacqua 09/03/2025 at 2:14 pm
- Kaitlin Wright reassigned this step from Maria Bevilacqua to Kaitlin Wright 09/03/2025 at 2:14 pm
- Kaitlin Wright approved this step 09/03/2025 at 2:21 pm

Building Inspector Review

Record No.SPFL-25-3

Status Completed

Became Active September 8, 2025

Assignee Tom Bridgewater

Due Date None

Primary Location

30 CREEK BROOK DR
Haverhill, MA 01832

Owner

MAR FIBERTECH TWO LLC
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

Applicant

 JT Couch
 973-650-6060
 @ jt@creekbrookcml.com
 30 creek brook dr
Haverhill, MA 01832

Messages

No comments yet.

Step Activity

OpenGov system activated this step	09/08/2025 at 1:19 pm
OpenGov system assigned this step to Tom Bridgewater	09/08/2025 at 1:19 pm
Tom Bridgewater approved this step	09/08/2025 at 2:55 pm

Step Activity

OpenGov system activated this step

09/08/2025 at 1:19 pm

OpenGov system assigned this step to Robert Moore

09/08/2025 at 1:19 pm

Robert Moore approved this step

09/10/2025 at 1:10 pm

DPW Review

Record No.SPFL-25-3

Status Active

Became Active September 8, 2025

Assignee Robert Kimball

Due Date None

Primary Location

30 CREEK BROOK DR
Haverhill, MA 01832

Owner

MAR FIBERTECH TWO LLC
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

Applicant

 JT Couch
 973-650-6060
 jt@creekbrookcml.com
 30 creek brook dr
Haverhill, MA 01832

Messages

Kaitlin Wright

October 8, 2025 at 8:50 am

Please review, this is coming before Council on 10/28!

Kaitlin Wright

October 22, 2025 at 1:40 pm

Please review, this is coming before Council on 10/28!

Step Activity

OpenGov system activated this step

09/08/2025 at 1:19 pm

OpenGov system assigned this step to Robert Ward

09/08/2025 at 1:19 pm

Kaitlin Wright reassigned this step from Robert Ward to Robert Kimball

09/16/2025 at 8:27 pm

Engineering Review

Record No.SPFL-25-3

Status Completed

Became Active September 8, 2025

Assignee John Pettis

Due Date None

Primary Location

30 CREEK BROOK DR
Haverhill, MA 01832

Owner

MAR FIBERTECH TWO LLC
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

Applicant

 JT Couch
 973-650-6060
 jt@creekbrookcml.com
 30 creek brook dr
Haverhill, MA 01832

Messages

Kaitlin Wright

October 8, 2025 at 8:50 am

Please review, this is coming before Council on 10/28!

Kaitlin Wright

October 22, 2025 at 1:41 pm

Please review, this is coming before Council on 10/28!

John Pettis

October 22, 2025 at 4:03 pm

I have no objection to the requested permit.

Step Activity

OpenGov system activated this step

09/08/2025 at 1:19 pm

OpenGov system assigned this step to John Pettis

09/08/2025 at 1:19 pm

John Pettis approved this step

10/22/2025 at 4:03 pm

Police Department Review

Record No.SPFL-25-3

Status Completed

Became Active September 16, 2025

Assignee Kevin Lynch

Due Date None

Primary Location

30 CREEK BROOK DR
Haverhill, MA 01832

Owner

MAR FIBERTECH TWO LLC
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

Applicant

 JT Couch
 973-650-6060
 jt@creekbrookcml.com
 30 creek brook dr
Haverhill, MA 01832

Messages

No comments yet.

Step Activity

Kaitlin Wright activated this step	09/16/2025 at 8:26 pm
Kaitlin Wright assigned this step to Kevin Lynch	09/16/2025 at 8:27 pm
Kevin Lynch approved this step	09/19/2025 at 12:51 pm

School Department Review

Record No.SPFL-25-3

Status Active

Became Active September 16, 2025

Assignee Margaret Marotta

Due Date None

Primary Location

30 CREEK BROOK DR
Haverhill, MA 01832

Owner

MAR FIBERTECH TWO LLC
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

Applicant

 JT Couch
 973-650-6060
 jt@creekbrookcml.com
 30 creek brook dr
Haverhill, MA 01832

Messages

Kaitlin Wright

October 8, 2025 at 8:50 am

Please review, this is coming before Council on 10/28!

Kaitlin Wright

October 22, 2025 at 1:41 pm

Please review, this is coming before Council on 10/28!

Step Activity

Kaitlin Wright assigned this step to Margaret Marotta

09/16/2025 at 8:31 pm

Kaitlin Wright activated this step

09/16/2025 at 8:31 pm

Step Activity

Kaitlin Wright activated this step

10/22/2025 at 1:44 pm

Kaitlin Wright assigned this step to Kaitlin Wright

10/22/2025 at 1:44 pm



Haverhill

City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@haverhillma.gov

September 8, 2025

PUBLIC HEARING

City Council Chambers, City Hall, Room 202, 4 Summer st

Notice is hereby given that the following application for a license to store, keep, and use INFLAMMABLE LIQUIDS has been made to the City Clerk and the City Council will conduct a hearing for all parties interested, in a hybrid meeting (virtual/in person), on Tuesday, October 28, 2025; at 7:00 PM. This notice is given under the provisions of Chapter 148 of the General Laws - JT Couch on behalf of Creek Brook CML (SPFL-25-3); requesting to store 19,000 gallons of Class 3B edible shortening oil and 5,000 gallons of Class II Diesel Fuel in above ground storage tanks at 30 Creek Brook Dr.

(Residents who are interested in commenting on this item can either (1) Attend in person (Council Chambers, Room 202) or (2) Attend remotely using the link provided on the public meeting calendar on the City's website.)

Description of area, maps and plans are on file in the City Clerk's Office.

Advertise: October 9 & October 16, 2025
Haverhill Gazette

Kaitlin M. Wright, CMC
City Clerk



FP-002A
(Rev. 6/23)

The Commonwealth of Massachusetts

City/Town of Haverhill

Application For License

Massachusetts General Law, Chapter 148 §13

New License Amended License

GIS Coordinates
42.7935
LAT.
71.1233
LONG.
License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 30 Creek Brook Dr.
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: Mar Fiber Tech Two LLC

Address of Land Owner: 20 Pickering Street Needham MA, 02492

Use and Occupancy of Buildings and Structures: Food Manufacturing

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

Attach a copy of the current license

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums
Edible shortenings and Oils	Class 3B	19,000	Gal.	AST
Diesel Fuel	Class 2	5,000	Gal.	AST

Total quantity of all flammable liquids to be stored: N/A

Total quantity of all combustible liquids to be stored: 24,000 Gallons

Total quantity of all flammable gases to be stored: N/A

Total quantity of all flammable solids to be stored: N/A

LP-gas (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: N/A

List sizes and capacities of all aboveground containers used for storage: _____

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: N/A

List sizes and capacities of all underground containers used for storage: _____

Total aggregate quantity of all LP-gas to be stored: N/A

Fireworks (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: N/A Type/class of magazine used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4G: N/A Type/class of magazine used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: N/A Type/class of magazine used for storage: _____

Total aggregate quantity of all classes of fireworks to be stored: _____

Explosives (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: N/A Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.2: N/A Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.3: N/A Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: N/A Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.5: N/A Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.6: N/A Number of magazines used for storage: _____

I, Joseph T. Couch IV, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature Joseph Theodore Couch IV Date 9/15/2025 Name Joseph T. Couch IV

PLEASE NOTE THAT ONLY APPLICATIONS WITH ORIGINAL WET SIGNATURES WILL BE ACCEPTED. PHOTOCOPIES OF APPLICATIONS WILL NOT BE PROCESSED.

Fire Department Use Only

I, ERIC M. TARAY, Head of the HAVERHILL Fire Department endorse this application with my

Approval Disapproval

D/K EMT
Signature of Head of the Fire Department

9/17/25
Date

Recommendations: Follow all code requirements and Best practices associated with the use, storage and maintenance of TANK, PRODUCT & PROCESS.

Detailed Written Summary of Project

****This application is set up for 19,000 gallons to satisfy state fire marshal's request to cover total amount of shortening on property. Hence forward in this plan the tank will be referred to as 19,000 gallons with the understanding the actual capacity of the tank is 17,000 gross gallons. ****

Application Summary – 19,000 Gallon Edible Shortening Oil Storage Tank (Class 3B Liquid)

The engineering documentation provided outlines the design and intended application of a **19,000-gallon stainless steel storage tank (Tag: TK-100)** manufactured by Feldmeier Equipment, configured for handling **Class 3B edible shortening oil**. The system is part of a **PKO (Palm Kernel Oil) Storage and Hot Water Set** designed for industrial food production, specifically for controlled storage, heating, and transfer of shortening oil to downstream fryer balance tanks.

1. Tank Design and Construction

- **Capacity:** 19,000 gallons
- **Material:** 316 stainless steel construction for sanitary food-grade applications.
- **Configuration:** Vertical tank with legs and integrated connections for inlet, outlet, venting, and heating systems.
- **Thermal Features:** Equipped with a **heat-traced and insulated oil line network** to maintain product temperature at **135°F**, preventing solidification of the shortening oil during storage and transfer.
- **Hot Water Jacket System:** Supplies heated water to the tank jacket for precise temperature maintenance.

2. Process Flow and Integration

- **Oil Supply:** Product is delivered from a tanker truck via a dedicated **oil inlet line** with **heat tracing and insulation** to maintain fluidity during transfer.

- **Distribution:** Heated oil is transferred through a **centrifugal pump (CP-100)** and associated sanitary valves to connected fryer balance tanks.
 - **Piping:** All product lines use sanitary tri-clamp fittings and stainless steel construction.
-

3. Heating & Temperature Control

- **Hot Water Set:**
 - **Recirculation Pump (CP-600, 3 HP)** circulates hot water through the tank jacket and return loop.
 - **Electric Heat Exchanger (HX-600, 480V)** heats the water supply.
 - **Expansion Tank (TK-600)** maintains system pressure stability.
 - **Temperature Monitoring:** Multiple **temperature transmitters (TIT-600)** monitor jacket water and tank oil temperature.
 - **Flow Monitoring:** Flow switches ensure proper circulation of heating media.
-

4. Safety and Venting Systems

- **Venting:**
 - **Emergency Vent (PRV-100)** – 6” Protectoseal pressure relief vent to prevent over-pressurization.
 - **Vacuum Vent (VRV-100)** – 2” Protectoseal unit to prevent vacuum collapse during unloading or cooling.
 - **Tank Conditioner & UV Ventilation Units** – maintain product quality and prevent microbial growth.
 - **Pressure Relief:** ASME-rated pressure relief valves installed on both oil and hot water circuits (80 PSIG).
 - **Check Valves:** Prevent backflow contamination between product and utility lines.
-

5. Controls and Instrumentation

- **Valves:** A combination of ball valves, butterfly valves, and shut-off valves for isolation and flow control.
- **Instrumentation:**

- Level transmitters for high/low product monitoring.
 - Temperature transmitters for jacket and product temperature control.
 - Flow switches to confirm fluid circulation in both oil and hot water loops.
 - **Automation:** Designed for integration with plant control systems via PLC interface.
-

6. Operational Purpose

This tank system provides **bulk storage, heating, and controlled delivery** of Class 3B edible shortening oil for use in continuous frying operations. The **temperature-controlled environment** ensures the oil remains in a liquid state for process reliability, while sanitary construction and venting systems maintain **product integrity and food safety compliance**.

Facility: PKO (Edible Shortening Oil) Storage & Hot Water Set

Primary Vessel: TK-100, 19,000 gal, 316 SS, Feldmeier (S/N 24E0725)

1) Product classification (NFPA 30 / OSHA)

- **NFPA 30 combustible liquid class:** For edible shortening/palm-kernel oils with flash point typically well above 200 °F, the applicable NFPA 30 class is **Class IIIB** (combustible liquid, $FP \geq 200$ °F). Although the project description references “Class 3B,” this system is operated at ~135 °F—below common edible-oil flash points—so the **NFPA 30 design basis is Class IIIB**.
- **OSHA 1910.106 alignment:** OSHA follows similar category logic; edible oils normally fall in the highest flash-point (least hazardous) combustible category when not heated near FP.

Implication: Class IIIB liquids are the least restrictive under NFPA 30; normal building locations are generally permitted, hazardous (electrical) classification is **not** typically required unless heated to/above the flash point, sprayed, or otherwise aerosolized.

2) System description supporting compliance

- **Tank & capacity:** One 19,000-gal sanitary vertical tank, 316 SS, leg-supported (Tag **TK-100**).
- **Heating method:** Hot-water jacket with dedicated **hot-water skid** (pump **CP-600** 3 HP; electric circulation heater **HX-600** 480 V; expansion tank **TK-600**; PRV/PSV; flow and temperature instrumentation) designed to maintain ~**135 °F** jacket supply/return—well below typical edible-oil FP.

- **Product transfer:** Sanitary, heat-traced, insulated oil lines (1.5–2") from tanker offload to TK-100 and out to fryer balance tanks via **CP-100** centrifugal pump and sanitary valves. Lines/headers are heat-traced and insulated to maintain fluidity, not to approach FP.
- **Overpressure/venting:**
 - **Emergency vent: PRV-100** 6" Protectoseal F7806H, piped to roof ("EMERGENCY VENT TO ROOF").
 - **Vacuum relief: VRV-100** 2" Protectoseal F6242 (end-of-line).
 - **Normal/conditioning vents:** 10" tank vent **LTX-10AB2A0** and **Liquid Tank Conditioner (UV) LTC-2AB4A0** (American Ultraviolet).
- **Instrumentation & interlocks:** Level transmitters (LLT/HLT tags shown), temperature transmitters (**TIT-600**), and flow switches (**FS-100**, **FW-600**) for both oil and hot-water loops to verify circulation and prevent heater operation on no-flow.

3) NFPA 30 conformance elements

Chapters referenced (by topic): Design & construction of tanks; normal/emergency venting; heating; transfer operations; indoor tank allowances for Class IIIB; drainage/spill control.

- **Tank design & materials:** Stainless steel, closed, fixed-roof vessel with sanitary connections aligns with NFPA 30 tank construction options for Class IIIB. (TK-100 BOM and P&ID/lifecycle show sanitary, closed system.)
- **Normal venting:** Provided via the dedicated tank vent assembly and conditioner; sized/selected equipment is identified (10" American Ultraviolet vent + conditioner) for normal breathing and product quality. Final vent sizing to meet NFPA 30 normal vent capacity is by manufacturer data; devices are specified in the BOM.
- **Emergency venting:** The **6" Protectoseal F7806H** emergency vent meets the NFPA 30 requirement for emergency relief due to fire exposure (capacity per manufacturer curves). Discharge is routed to roof, minimizing in-room vapor release.
- **Vacuum protection:** The **2" Protectoseal F6242** prevents vacuum collapse during unloading/cooling.
- **Heating controls:** Jacket water heat is mechanically separated from product, with temperature transmitters (**TIT-600**) and flow switches (**FW/FS**) interlocked to heaters/pumps, satisfying NFPA 30 expectations that heating systems be controlled and monitored to avoid overheating.

- **Pumping & valves:** Sanitary pumps (**CP-100, CP-600**) and isolation/butterfly valves (QSM) provide positive shutoff and control. Check valves (**CV-100**) are included to prevent reverse flow.
- **Electrical classification:** Because the product is **Class IIIB** and operating temperature (~135 °F) is **well below FP**, the area is **not normally a classified (hazardous) location** per NFPA 30. Standard industrial electrical installation is acceptable unless the AHJ identifies specific classified pockets (e.g., at vents or if future operations heat above FP).

4) Spill control, drainage, and secondary containment

- **Floor drainage:** Direct any drainage away from doorways/exits and ignition sources. Provide shut-off valves on trench drains leading to an oil-water separator or dedicated containment.

5) Fire protection & emergency planning

- **Portable extinguishers:** Provide **Class B** (and, where fryer operations exist, **Class K** near cooking equipment) extinguishers with travel distance per NFPA 10.
- **Fixed protection:** For **Class IIIB** indoor tanks, foam systems are **not typically required** by NFPA 30; coordinate with AHJ based on risk assessment. If foam is provided, use agents compatible with vegetable oils.
- **Alarm & shutdowns:**
 - High-high product level → stop transfer from tanker.
 - Low/No jacket flow (**FW-600/FS-100**) → trip **HX-600** heater.
 - High jacket temperature (**TIT-600**) → alarm and heater trip.
- **Vent routing:** Maintain the **emergency vent to roof** penetration, weather-proofed and clear of air intakes and ignition sources.
- **Housekeeping:** Keep combustibles clear of tank and hot-water skid. Post emergency shutdown procedures at the skid and tanker offload point.

6) Transfer operations (tanker to TK-100)

- **Connection point:** Dedicated heated/insulated product inlet line “PKO FROM TANKER” to TK-100 (with isolation valve and flow/level interlocks).
- **Bonding/grounding:** Bond tanker to facility during offload to control static (good practice even for high-FP edible oils).
- **Supervision:** Offloading performed by trained personnel; verify **LLT/HLT** signals and vent path clear before start.

7) Signage, labels, and documentation

- **Tank labeling:** “EDIBLE SHORTENING OIL – CLASS IIIB COMBUSTIBLE LIQUID – 19,000 GAL – NO SMOKING/NO OPEN FLAMES.”
- **Process labels:** Tag all valves/instruments per P&ID (e.g., **PRV-100, VRV-100, CP-100/600, HX-600, TIT-600, FS/FW**) to match drawings/BOM.
- **SDS availability:** Maintain product SDS on site; confirm FP and operating limits in writing as part of the pre-startup safety review.

8) Construction & installation notes

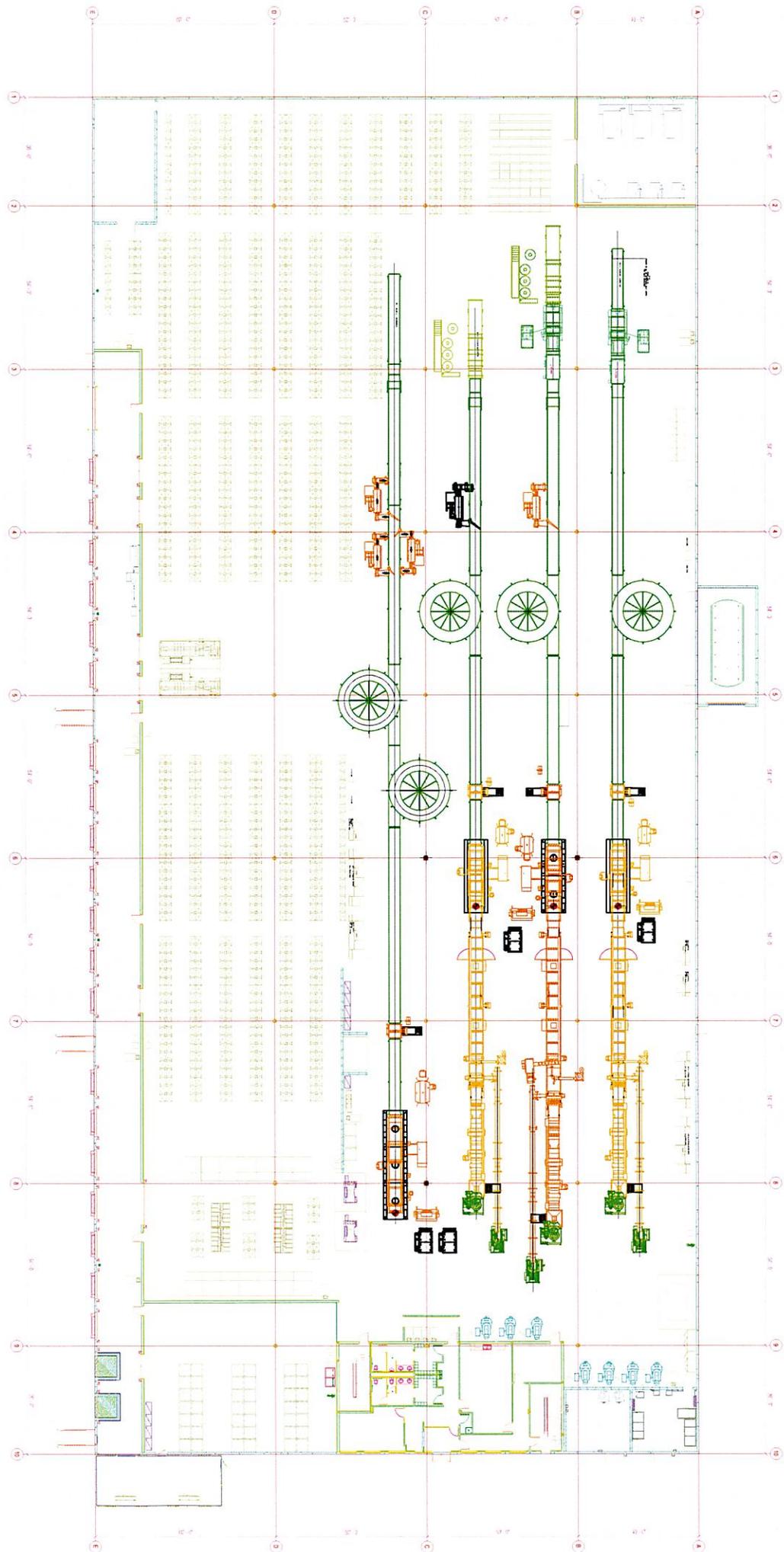
- **Anchorage/seismic:** Anchor tank legs per structural calcs to resist sloshing and overturning; maintain clear access to emergency vent and manways. (Tank legs shown on layout sheet.)
- **Insulation/heat tracing:** As shown, oil lines are heat-traced and insulated (“1.5” Insulation,” oil lines heat-traced **135 °F**) to maintain pumpability without approaching FP. Verify insulation jacketing is non-absorbent, fire-retardant.
- **Electrical:** Power to **HX-600 (480 V)**, motors (**230/460 V**), and instruments (**24 V/120 V**) per BOM; follow NFPA 70 for wiring methods.

9) Owner/AHJ action items (to close out permitting)

1. **Confirm final product FP** (from SDS) to document **Class IIIB** basis at 135 °F operation.
2. **Vent capacity certs:** Attach manufacturer sizing sheets for **F7806H** and **F6242**, and for the 10" vent, to demonstrate normal + emergency venting capacity per NFPA 30.
3. **Containment drawings:** Provide diked area/containment calcs ($\geq 110\%$ of 19,000 gal) and drain control details (valved to oil-water separator).
4. **SPCC applicability check:** If total on-site oil $\geq 1,320$ gal, adopt/update **SPCC Plan** and inspection logs.
5. **PSSR/Commissioning:** Document interlock tests (no-flow trips, high-temp trips, level cutouts) and operator training.
6. **Labeling & pre-fire plan:** Post tank/valve IDs, emergency procedures, and add the tank to the facility pre-incident plan for the fire department.

Cross-references to the engineering package

- **BOM (mechanical & hot water):** TK-100 19,000 gal Feldmeier; PRV-100 6" Protectoseal F7806H; VRV-100 2" Protectoseal F6242; American Ultraviolet **LTX-10AB2A0** (10" vent) & **LTC-2AB4A0** (conditioner); CP-100 C114 pump; CP-600 hot-water recirc; **HX-600** WATTCO heater; **TIT-600**, **FS/FW-600** instrumentation; valves (QSM) and relief valves (Bell & Gossett 80 psig).
- **P&ID/Layout:** Heat-traced (135 °F) insulated oil lines; jacket supply/return; emergency vent routed to roof; level instruments (LLT/HLT); electrical services (480 V/230-460 V/120 V/24 V) noted.





7004 CESSNA DRIVE
GREENSBORO, NC 27409
336-393-0100

4400 BISHOP LANE, SUITE 112
LOUISVILLE, KY 40218
502-459-7475

334 FREE HILL ROAD
HENDERSONVILLE, TN 37075
615-822-3030

CREEK BROOK CML HAVERHILL, MA PKO STORAGE & HOT WATER SET 24G0074

TABLE OF CONTENTS	
DRAWING NUMBER	DESCRIPTION
24G0074-01.1	COVER SHEET
24G0074-01.2	SYMBOL SHEET
24G0074-01.3	BILL OF MATERIALS
24G0074-01.4	PIPING AND INSTRUMENTATION DIAGRAM
24G0074-01.5	LAYOUT

GENERAL NOTES
1. VERIFY ALL DIMENSIONS WITH EQUIPMENT

CLIENT

CREEK BROOK
HAVERHILL, MA



PROJECT TITLE

PKO STORAGE AND HOT WATER SET

COPYRIGHT © 2023 BY MGNNEWELL CORPORATION. ALL RIGHTS RESERVED. THIS DRAWING IS THE PROPERTY OF MGNNEWELL CORPORATION. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE EXPRESS WRITTEN CONSENT OF MGNNEWELL CORPORATION.

DATE

316 SS

DRAWN BY

JAB

CHECKED BY

SCALE

NA

QUANTITY

1

SIZE

D

UNIT OF MEASURE

PKO STORAGE AND HOT WATER SET

DATE

11/15/23

PROJECT NUMBER

24G0074

DRAWING NUMBER

01.1

DRAWING DESCRIPTION

COVER SHEET

DRAWING NUMBER

24G0074- 01.1

GENERAL NOTES
1. VERIFY ALL DIMENSIONS WITH EQUIPMENT

CLIENT
CREEK BROOK
HAVERHILL, MA



PROJECT TITLE
PRO STORAGE AND HOT WATER SE

REV	DESCRIPTION	BY	DATE
1	INITIAL DRAWING		5/17/20

PROJECT REF: 316 SS
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CHECKED BY:

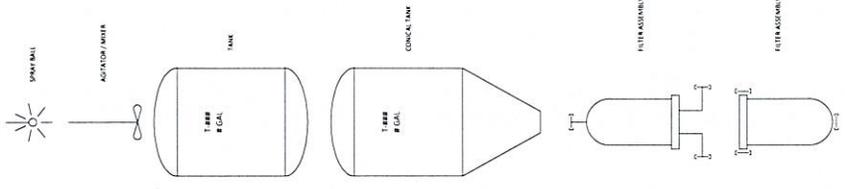
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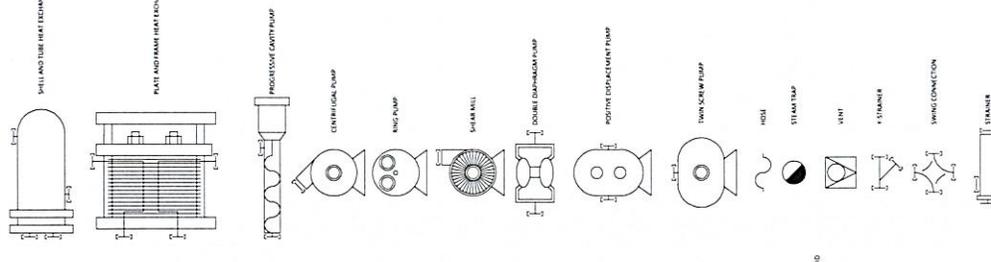
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DRAWING NUMBER
24G0074-01.2

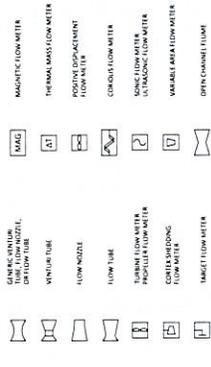
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EQUIPMENT



FLOW SYMBOLS



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
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GENERAL NOTES
1. VERIFY ALL DIMENSIONS WITH EQUIPMENT

MECHANICAL BILL OF MATERIALS		24G0074-01				
NO	TAG	DESCRIPTION	SPECIFICATION / MODEL	MANUFACTURER	Serial Number	Power/Air Supply
1	M-101	Motor Blower 5 HP 184TC 3	118-31490	SPX	F2410081299	230/480V
2	AV-100	WET SHUT OFF VALVE	WB16025	SPX	1000006407001	6-10Bar 1/4"
3	TK-100	15,000 Gall Tank	15000Gallon Tank	Extreme Equipment	2410775	230/480V
4	BV-104,105,106,107	1.5" BALL VALVE	EA-33W-SN-1.5-CV	OSM		
5	BPV-602	2in OSM BPV, TC, 316SS EPDM	BPV-316-E-2	OSM		
6	CP-100	CM14 Centrifugal Pump	CM1402373	SPX	1000006407002	
7	BV-108	1/2" BALL VALVE	EA-33W-SN-1/2-CV	OSM		
8	VENT	LIQUID TANK CONDENSER 4"	LTC-240440	American UltraVark		120V
9	VENT	10" TANK VENT	LTK-10A0340	American UltraVark		2-8Bar 1/4"
10	BPVZT-100,101,102	EA-33W-SN-1.5-MT-2B-SPX-55-0M541-2AL-55-55V88-24D	WIK4360	OSM		
11	PRV-100	8" EMERGENCY VENT	FR8084	PROTECTOSEAL	368275	
12	VRV-100	2" END OF LINE VACUUM VENT	18242	PROTECTOSEAL	36826	
13	AV-600	Air Vent	87	Bel & Gossett		
14	BV-602	3/4" BALL VALVE	FG 290A	FM		
15	CV-100	2" VERTICAL DISC CHECK VALVE	CSE-316-TC-2-V	OSM		
16	PSV-601	3/4" PRESSURE RELIEF VALVE, 80 PSIG, ASME	750-80 ASME RVF	Bel & Gossett		
17	BPV-100	2" BUTTERFLY VALVE	BPV-316-E-2	OSM		24V
18	FS-100	Flow Switch	56800	FM		
19	BPV-101	1.5" BUTTERFLY VALVE	BPV-316-E-1.5	OSM		
20	BPV-102	2" BUTTERFLY VALVE	BPV-316-E-2.0	OSM		
HOT WATER SET		24G0074-05				
NO.	TAG	DESCRIPTION	SPECIFICATION / MODEL	MANUFACTURER	Serial Number	
1	T1-600	Temperature Transmitter	102603	FM		24V
2	PSV-600	3/4" Pressure Relief Valve, 80 PSIG, ASME	750-80 ASME RVF	Bel & Gossett	110757	
3	BV-600	1" Ball Valve	EA-33W-SN-1-CV	OSM		
4	BPV-600	3/4" Back Flow Preventer	4ALF-104-40T	Apco		
5	PRV-600	1/2" Pressure Reducing Valve	BI-35	Bel & Gossett		
6	PG-600	Pressure Gauge, -30 psid to 0 to 60 psi	PRG-30IL-402C0-d1	Gauger		
7	BV-601	1" Ball Valve	EA-33W-SN-1-CV	OSM		
8	TK-600	Expansion Tank	PFA-30V 5/10 ASME	Bel & Gossett	8N146LF	
9	CP-600	Hot Water Recirc Pump, 3HP, 2000 RPM, 4.0" Impeller	2045	SPX	1000006407009	230/480V
10	M-600	3HP MOTOR 12.3LM	118-B0M6	BAUDER	F241041207	24V
11	FW-600	Flow Switch	56800	FM	127429H	480V
12	TK-600	2" Flanged Crustion Vessel	WLS3240543 T	WATICO	FLS3-12002431-5811-1	
13	BV-602	3/4" Ball Valve	EA-33W-SN-1/2-CV	OSM		
14	BPV-600	2" Butterfly Valve	BPV-316-V-2	OSM		
15	BPV-601	2" Butterfly Valve	BPV-316-V-2	OSM		
16	FRAME	2.0" 601 Square Tubing with Adjustable Legs	24G0074-05	M.C. Needell		

CLIENT
CREEK BROOK
MAYFIELD, MA



PROJECT TITLE
PKO STORAGE AND HOT WATER SET

DATE
316 SS

DESIGNED BY	JAB	CHECKED BY	
QUANTITY	1	SCALE	NA
UNLESS OTHERWISE SPECIFIED, DIMENSIONS ARE IN INCHES UNLESS OTHERWISE NOTED			

DRAWING DESCRIPTION
BILL OF MATERIALS

DRAWING NUMBER
24G0074- 01.3



GENERAL NOTES

1. VERIFY ALL DIMENSIONS WITH EQUIPMENT

CLIENT

CREEK BROOK
HAVERHILL, MA



PROJECT TITLE

PKO STORAGE AND HOT WATER SE

DATE: 08/20/2024
DRAWING NO: 24G0074-01.4
DRAWING TITLE: PKO STORAGE AND HOT WATER SE
DRAWING REVISIONS:
REV. NO. DESCRIPTION
1.000 INITIAL ISSUE
2.000 REVISED TO ADD CITY WATER INLET WITH THE FRYER BALANCE TANKS
3.000 REVISED TO ADD CITY WATER INLET WITH THE FRYER BALANCE TANKS

QUANTITY

1

SIZE

D

SCALE

NA

UNLESS OTHERWISE NOTED
DIMENSIONS ARE IN INCHES
DIMENSIONS IN PARENTHESIS ARE
DIMENSIONS IN FEET

DRAWING DESCRIPTION

P&ID

316 SS

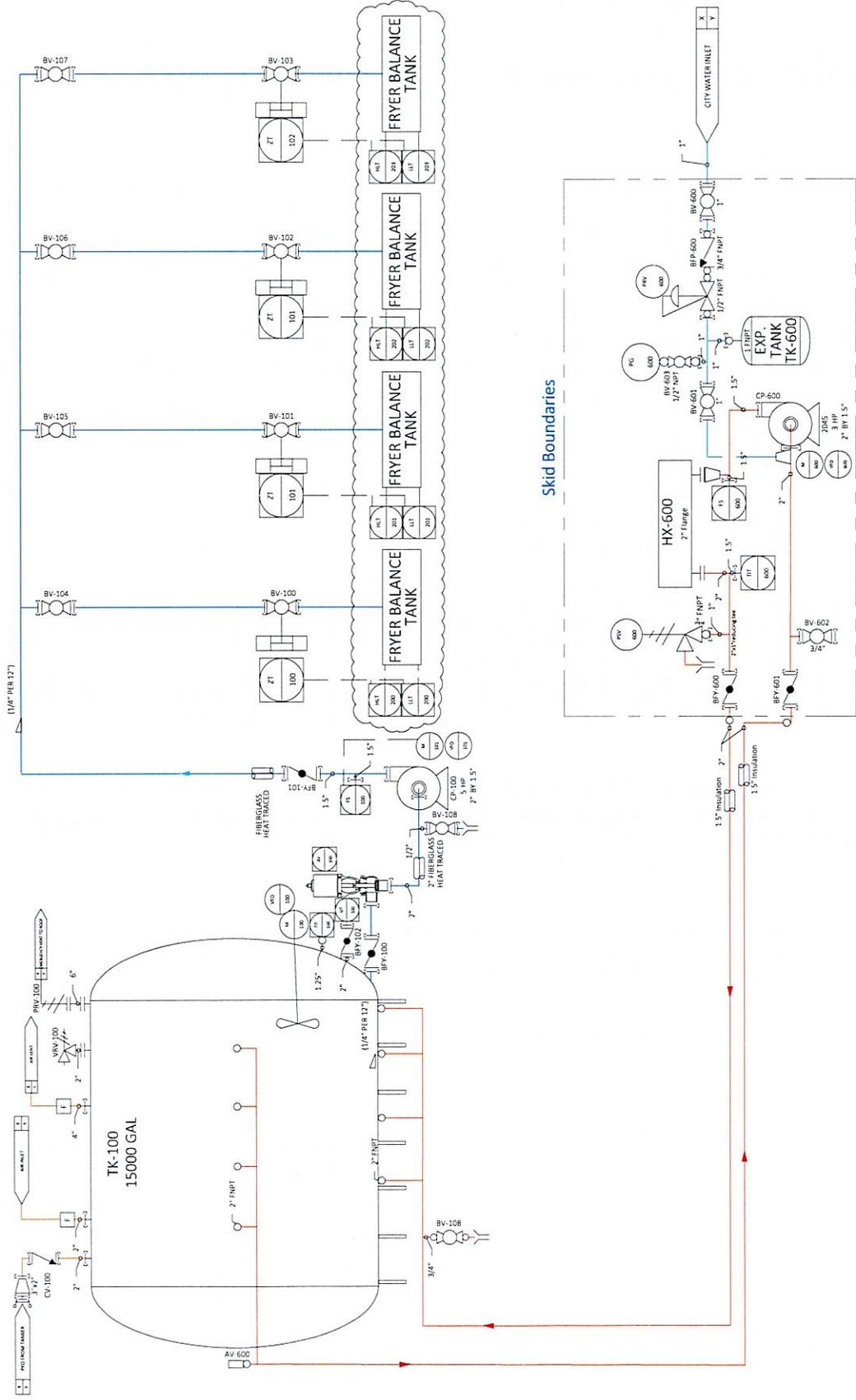
CHECKED BY

JAB

24G0074-01.4

PKO STORAGE AND HOT WATER SE

24G0074-01.4



Skid Boundaries

GENERAL NOTES

1. VERIFY ALL DIMENSIONS WITH EQUIPMENT.

CUSTOMER
CREEK BROOK
HAYBELL, MA



PROJECT TITLE
PKO STORAGE AND HOT WATER SE

REV	DESCRIPTION	BY	DATE
1	INITIAL DRAWING	JAB	5/7/20

QUANTITY
316 SS

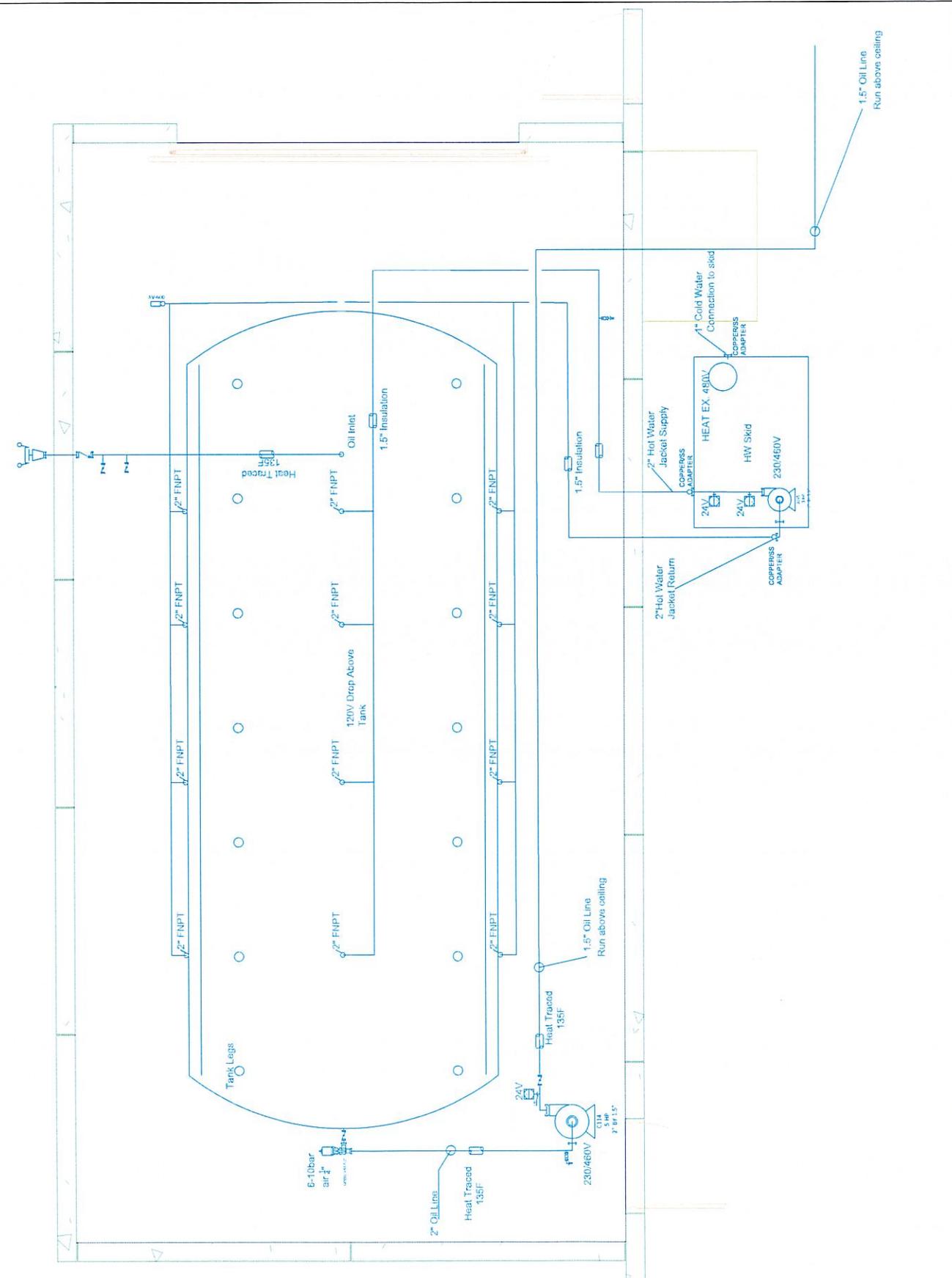
DESIGNED BY
JAB

SCALE
1" = 8'

DATE
5/7/20

PROJECT NO.
24G0074-01.5

DRAWING NUMBER
LAYOUT



1.5" Oil Line
Run above ceiling



Safety Data Sheet

*** Section 1 - Product and Company Identification ***

Material Name: Edible Shortenings and Oils

Synonyms/Other Common Names: Canola oil, Linseed oil, Corn oil, Soybean oil, Cottonseed oil, Peanut Oil, Palm kernel oil, Copra, Olive oil, Tallow oil, Lard, Palm oil, Sunflower Oil.

Recommended Use & Restrictions: Food additive, Emulsifier

Manufacturer Information:

Bunge North America
1391 Timberlake Manor Parkway
Chesterfield, MO 63017

Phone: 314-292-2000 between 7:30 AM – 5:30 PM Central Time
Fax: 314-292-2384

Emergency Information:

In the event of an Emergency, contact Chemtrec at 1-800-424-9300

*** Section 2 – Hazard(s) Identification ***

Hazard classification: Not a dangerous substance according to GHS. The substance does not meet the criteria for classification.

Hazard Statement(s): Excessive inhalation of oil mist may affect the respiratory system. Sensitive individuals may experience dermatitis after prolonged exposure of oil on the skin.

Potential Health Effects:

Eyes: None expected under anticipated use conditions. May cause irritation in sensitive individuals.

Skin: None expected under anticipated use conditions. May cause irritation in sensitive individuals.

Ingestion: None expected under anticipated use conditions. May cause irritation in sensitive individuals.

Inhalation: Excessive inhalation of oil mist may affect the respiratory system.

Carcinogenicity and Reproductive Hazard: None of this product's components are listed by ACGIH, IARC, OSHA, NIOSH, or NTP.

Medical Conditions aggravated by exposure to product: Excessive inhalation of oil mist may affect the respiratory system. Sensitive individuals may experience dermatitis after prolonged exposure of oil on the skin.

HMIS Ratings: Health: 1 Fire: 1 HMIS Reactivity 0

Hazard Scale: 0 = Minimal 1 = Slight 2 = Moderate 3 = Serious 4 = Severe * = Chronic hazard

Label Elements: Not required

Signal Word: Not required

*** Section 3 - Composition / Information on Ingredients ***

CAS #	Component (Chemical Name & Common Name)	Concentration
120962-03-0	Canola oil	
8001-26-1	Linseed oil	
8001-30-7	Corn oil	
8001-22-7	Soybean oil	
8001-29-4	Cottonseed oil	
8002-03-7	Peanut Oil	
8023-79-8	Palm kernel oil	
8001-31-8	Copra	
8001-25-0	Olive oil	
61789-97-9	Tallow oil	
61789-99-9	Lard	
8002-75-3	Palm oil	
8001-21-6	Sunflower oil	
	Algae oil	

Safety Data Sheet

*** Section 4 - First Aid Measures ***

Eyes: If necessary, rinse eyes with water.

Skin: Wash with soap and water.

Ingestion: None necessary.

Inhalation: Remove to fresh air.

Most important symptoms/effects (acute & delayed): Acute eye contact requires rinsing. No delayed effects anticipated.

*** Section 5 - Fire Fighting Measures ***

General Fire Hazards: See Section 9 for Flammability Properties.

Hazardous Combustion Products: Not Determined

Extinguishing Media: Foam, CO2 or dry chemical. Because water can spread the fire, it is advisable to avoid a direct water stream for extinguishing the fire.

Fire Fighting Equipment/Instructions: Firefighters should wear full protective gear.

NFPA Ratings: Health: 1 Fire: 1 Reactivity: 0

Hazard Scale: 0 = Minimal 1 = Slight 2 = Moderate 3 = Serious 4 = Severe

*** Section 6 - Accidental Release Measures ***

Evacuation Procedures/ Containment Procedures: Isolate area. Keep unnecessary personnel away. No special containment procedures necessary.

Clean-Up Procedures: For small spills, add solid adsorbent, shovel into disposable container and hose down area. Do not use incompatible clay adsorbents to avoid the possibility of spontaneous combustion. Clean area with detergent. For large spills, squeegee or pump into holding container. Clean area with detergent. Dispose of in accordance with local, state, and Federal regulations.

*** Section 7 - Handling and Storage ***

Handling Procedures: Use appropriate protective equipment when handling hot oils.

Storage Procedures: Store away from flame and excessive heat. To avoid spontaneous fire, store wiping rags and similar material in UL/FM approved containers with tight fitting lids. Spilled product presents a slip hazard.

*** Section 8 - Exposure Controls / Personal Protection ***

Exposure Limits:

Chemical	ACGIH (TWA & Ceiling)	OSHA (PEL)	NIOSH (REL)
Vegetable oil mist (CAS No. 68956-68-3)	As PNOS guidelines: 3 mg/m3 (respirable) 10 mg/m3 (inhalable)	TWA 15 mg/m3 (total) TWA 5 mg/m3 (respirable)	TWA 10 mg/m3 (total) TWA 5 mg/m3 (respirable)

Engineering Controls: Ventilation should be provided in areas where hot oil is being used.

PERSONAL PROTECTIVE EQUIPMENT

Eyes/Face: Wear safety glasses; chemical goggles (if splashing is possible).

Skin: If handling containers of hot oil, insulated gloves and apparel may be required.

Respiratory: If exposed to oil mist, an appropriate NIOSH approved respirator for organic vapors may be required.

General: Eye wash fountain and emergency showers are recommended.

Safety Data Sheet

*** Section 9 - Physical & Chemical Properties ***

Appearance:	Liquid, yellow-brown
Odor:	NA
Odor Threshold:	ND
pH:	ND
Melting Point/Freezing Point:	ND
Initial Boiling Point and Boiling Range:	NA
Flash point:	>500 °F
Evaporation Rate:	ND
Flammability (solid/gas):	ND
Upper/Lower Flammability/Explosive Limits (UFL/LFL):	>1
Vapor Pressure:	NA
Vapor Density:	NA
Specific Gravity:	0.70-0.95
Relative Density:	ND
Solubility(ies):	Insoluble
Partition Coefficient (n-octanol/water):	ND
Auto-ignition temperature:	ND
Decomposition temperature:	ND
Viscosity:	ND

*** Section 10 - Chemical Stability & Reactivity Information ***

Chemical Stability: This is a stable material.

Possibility of Hazardous Reactions: Will not occur.

Conditions to Avoid (e.g., static discharge, shock, or vibration): None

Incompatible materials: None

Hazardous Decomposition products: None

*** Section 11 - Toxicological Information ***

Likely routes of exposure (inhalation, ingestion, skin and eye contact): Eyes, skin, ingestion, inhalation.

Description of immediate, delayed or chronic effects from short or long-term exposure: None anticipated

Numerical measures of toxicity (LD50/LC50)

Cottonseed oil (8001-29-4)

Oral LD50 Rat: >90 mL/kg

Corn oil (8001-30-7)

Oral LD50 Rat: >100 mL/kg

Copra (8001-31-8)

Oral LD50 Rat: >5000 mg/kg

Palm oil (8002-75-3)

Oral LD50 Rat: >18000 mg/kg

Palm kernel oil (8023-79-8)

Oral LD50 Rat: >5000 mg/kg

Listed in NTP report on Carcinogens, or identified as potential carcinogen by IARC or OSHA: None of this product's components are listed by ACGIH, IARC, OSHA, NIOSH, or NTP.

Safety Data Sheet

***** Section 12 - Ecological Information *** (non-mandatory)**

Ecotoxicity

A. General Product Information

B. Component Analysis - Ecotoxicity - Aquatic Toxicity: No ecotoxicity data are available for this product's components.

***** Section 13 - Disposal Considerations *** (non-mandatory)**

US EPA Waste Number & Descriptions: No EPA Waste Numbers are applicable for this product's components.

Disposal Instructions:

All wastes must be handled in accordance with local, state and federal regulations.
See Section 7 for Handling Procedures. See Section 8 for Personal Protective Equipment recommendations.

***** Section 14 - Transportation Information *** (non-mandatory)**

US DOT Information

Shipping Name: Not Regulated

***** Section 15 - Regulatory Information *** (non-mandatory)**

US Federal Regulations: None of this products components are listed under SARA Section 302 (40 CFR 355 Appendix A), SARA Section 313 (40 CFR 372.65), or CERCLA (40 CFR 302.4).

Component Analysis - State

The following components appear on one or more of the following state hazardous substances lists:

State/Provincial Regulations:

The following components appear on one or more of the following state hazardous substances lists:

Component	CAS	CA	MA	MN	NJ	PA	RI
Linseed oil	8001-26-1	No	No	No	No	Yes	Yes
Corn oil	8001-30-7	No	No	No	No	Yes	Yes
Soybean oil	8001-22-7	No	No	No	No	Yes	Yes
Cottonseed oil	8001-29-4	No	No	No	No	Yes	Yes
Peanut Oil	8002-03-7	No	No	No	No	Yes	Yes
Tallow oil	61789-97-9	No	No	No	No	Yes	Yes

Additional Regulatory Information

Component Analysis – Inventory

Component	CAS #	TSCA	CAN	EEC
Canola oil	120962-03-0	Yes	DSL	No
Linseed oil	8001-26-1	Yes	DSL	EINECS
Corn oil	8001-30-7	Yes	DSL	EINECS
Soybean oil	8001-22-7	Yes	DSL	EINECS
Cottonseed oil	8001-29-4	Yes	DSL	EINECS
Peanut Oil	8002-03-7	Yes	DSL	EINECS
Palm kernel oil	8023-79-8	Yes	DSL	EINECS
Copra	8001-31-8	Yes	DSL	EINECS
Olive oil	8001-25-0	Yes	DSL	EINECS
Tallow oil	61789-97-9	Yes	DSL	EINECS
Lard	61789-99-9	Yes	DSL	EINECS
Palm oil	8002-75-3	Yes	DSL	EINECS
Sunflower oil	8001-21-6	Yes	DSL	EINECS

Safety Data Sheet

*** Section 16 - Other Information ***

Other Information

Bunge believes, to the best of its knowledge, that the information contained herein is accurate as of the date hereof. However, as the conditions or methods of use are beyond our control, we do not assume any responsibility and expressly disclaim any liability for any use of the material. MOREOVER, NO REPRESENTATIONS OR WARRANTIES, EITHER EXPRESSED OR IMPLIED, OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR OF ANY OTHER NATURE ARE MADE HEREIN AS TO THE INFORMATION PROVIDED OR THE PRODUCT TO WHICH THE INFORMATION REFERS. The health and safety precautions contained herein may not be adequate for all individuals and/or situations. It is the user's obligation to evaluate and use this product safely. Users should satisfy themselves that they have all current data relevant to their particular use and that their activities comply with all applicable laws.

Key/Legend

NA - Not Applicable
ND - Not Determined
ACGIH - American Conference of Governmental Industrial Hygienists
OSHA - Occupational Safety and Health Administration
TLV - Threshold Limit Value
PEL - Permissible Exposure Limit
TWA - Time Weighted Average
STEL - Short Term Exposure Limit
NTP - National Toxicology Program
IARC - International Agency for Research on Cancer

Revision Date: 6/1/2017

Prepared by: Rick Hendricks

548-1-1
CITY OF HAVERHILL
NORTH BROADWAY
HAVERHILL, MA 01830

548-1-2
LANGLOIS STEPHEN E ETUX
490 NORTH BROADWAY
HAVERHILL, MA 01832

548-1-3B
THE HEISELER FAMILY REVOCABLE TRUST
450 NORTH BROADWAY
HAVERHILL, MA 01832

548-1-3C-2B
DELLECHIAIE JEFFREY D-ETUX
460 NORTH BROADW WAY
HAVERHILL, MA 01832

548-1-40
SDS DEVELOPMENT, LLC
420 NORTH BROADWAY
KINGSTON, NH 03848

548-1-10A
HANS KISSLE COMPANY, LLC
9 CREEK BROOK DR
HAVERHILL, MA 01832

548-1-3
WILSON SEAN ALAN
452 NORTH BROADWAY
HAVERHILL, MA 01830

548-1-3C-2
GOLDENROD INC
20 CREEK BROOK DR
PARSIPPANY, NJ 07054

548-1-3C-2C
SOLARES SERGIO A
456 NORTH BROADW WAY
HAVERHILL, MA 01832

548-1-6
362 NORTH BROADWAY IRREVOCABLE
362 NORTH BROADWAY
HAVERHILL, MA 01832

548-1-10A-4
AREIT RESEARCH DRIVE LC LLC
64 RESEARCH DR
DENVER, CO 80202

548-1-3A
430 NORTH BROADWAY RLTY TR
430 NORTH BROADWAY
HAVERHILL, MA 01832

548-1-3C-2A-2
MAR FIBERTECH TWO LLC
30 CREEK BROOK DR
NEEDHAM, MA 02492

548-1-4
HUNTER THOMAS J
426 NORTH BROADWAY
HAVERHILL, MA 01832

	A	B	C	D	E	F	G	H	I
	ParcelID	StreetNum	StreetName	LocCity	Owner1	BillingAddress	City	State	Zip
1	548-1-1		NORTH BROADWAY	HAVRHILL	CITY OF HAVRHILL	4 SUMMER ST	HAVRHILL	MA	01830
2	548-1-10A	9	CREEK BROOK DR	HAVRHILL	HANS KISSLE COMPANY, LLC	9 CREEK BROOK DR	HAVRHILL	MA	01832
3	548-1-10A-4	64	RESEARCH DR	HAVRHILL	AREIT RESEARCH DRIVE LC LLC	1200 17TH ST, Unit 2900	DENVER	CO	80202
4	548-1-2	490	NORTH BROADWAY	HAVRHILL	LANGLOIS STEPHEN E ETUX	490 NORTH BROADWAY	HAVRHILL	MA	01832
5	548-1-3	452	NORTH BROADWAY	HAVRHILL	WILSON SEAN ALAN	452 NORTH BROADWAY	HAVRHILL	MA	01830
6	548-1-3A	430	NORTH BROADWAY	HAVRHILL	430 NORTH BROADWAY RLTY TR	430 NO BROADWAY	HAVRHILL	MA	01832
7	548-1-3B	450	NORTH BROADWAY	HAVRHILL	THE HEISELER FAMILY REVOCABLE TRUST	450 NORTH BROADWAY	HAVRHILL	MA	01832
8	548-1-3C-2	20	CREEK BROOK DR	HAVRHILL	GOLDENROD INC	6 CENTURY DR., SUITE 310	PARSIPPANY	NJ	07054
9	548-1-3C-2A-2	30	CREEK BROOK DR	HAVRHILL	MAR FIBERTECH TWO LLC	20 PICKERING ST, STE 200	NEEDHAM	MA	02492
10	548-1-3C-2B	460	NORTH BROADWAY	HAVRHILL	DELLECHIAIE JEFFREY D-ETUX	460 NORTH BROADWAY	HAVRHILL	MA	01832
11	548-1-3C-2C	456	NORTH BROADWAY	HAVRHILL	SOLARES SERGIO A	456 NORTH BROADWAY	HAVRHILL	MA	01832
12	548-1-4	426	NORTH BROADWAY	HAVRHILL	HUNTER THOMAS J	426 NO BROADWAY	HAVRHILL	MA	01832
13	548-1-40	420	NORTH BROADWAY	HAVRHILL	SDS DEVELOPMENT, LLC	4 GRANITE RD	KINGSTON	NH	03848
14	548-1-6	362	NORTH BROADWAY	HAVRHILL	362 NORTH BROADWAY IRREVOCABLE	362 NORTH BROADWAY	HAVRHILL	MA	01832

Kaitlin Wright

From: North of Boston <noreply@wave2adportal.com>
Sent: Friday, November 14, 2025 10:35 AM
To: CityClerk
Cc: cmacdonald@northofboston.com; Kaitlin Wright
Subject: Thank you for placing your order with us.

Warning! External Email. Exercise caution when opening attachments or clicking on any links.
THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

Job Details

Order Number:
W0139320
Business Type:
All Other Public Notices
Notice Size:
Public Notices
Notice Estimate:
\$480.20
Referral Code:
SPFL-25-3 Creek Brook Dr

Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA □ 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

Schedule for notice number W01393200

Wed Nov 19, 2025
The Eagle-Tribune Public Notices
All Zones
Mon Nov 24, 2025
The Eagle-Tribune Public Notices
All Zones

PUBLIC HEARING

City Council Chambers, City Hall,
Room 202, 4 Summer st

Notice is hereby given that the following application for a license to store, keep, and use INFLAMMABLE LIQUIDS has been made to the City Clerk and the City Council will conduct a hearing for all parties interested, in a hybrid meeting (virtual/ in person), on Tuesday, October 28, 2025; at 7:00 PM. This notice is given under the provisions of Chapter 148 of the General Laws – JT Couch on behalf of Creek Brook CML (SPFL-25-3); requesting to store 19,000 gallons of Class 3B edible shortening oil and 12,700 gallons of Class II Diesel Fuel in above ground storage tanks at 30 Creek Brook Dr.

(Residents who are interested in commenting on this item can either (1) Attend in person (Council Chambers, Room 202) or (2) Attend remotely using the link provided on the public meeting calendar on the City's website.)

Description of area, maps and plans are on file in the City Clerk's Office.

Kaitlin M. Wright, CMC
City Clerk
ET - Publication Dates

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The North of Boston Media Group reserves the right to alter, edit and omit any notice to meet our editorial guidelines. Any additional charges or credits as a result of this process will be the responsibility of the individual or company submitting the notice.



Haverhill

City Clerk's Office, Room 118
Phone: 978-374-2312 Fax: 978-373-8490
cityclerk@haverhillma.gov

NOV 14 AM 10:20
HAVCITYCLERK

November 14, 2025

PUBLIC HEARING

City Council Chambers, City Hall, Room 202, 4 Summer st

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Description of area, maps and plans are on file in the City Clerk's Office.

Advertise: November 19 & November 24, 2025
The Eagle Tribune

Kaitlin M. Wright, CMC
City Clerk

Kaitlin Wright

From: JT <JT@creekbrookcml.com>
Sent: Monday, February 2, 2026 9:04 AM
To: Kaitlin Wright
Subject: Re: Continuance

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

Hi Kaitlin,

Thanks for the call earlier. To recap, we would kindly ask for a continuance from this Feb 3rd meeting to the Feb 24th meeting. Please let me know if there is anything else I can provide.

Thank you,
JT Couch
Director of Engineering and Maintenance
Creek Brook CML
30 Creek Brook Drive | Haverhill, MA 01832
O: (978)-207-4005
M: (978)-945-1997
Mail to: jt@creekbrookcml.com
www.creekbrookcml.com



FEB 2 AM 9:28
HAUGITYCLERK

From: Kaitlin Wright <kwright@haverhillma.gov>
Sent: Tuesday, December 23, 2025 9:58 AM
To: JT <JT@creekbrookcml.com>
Subject: RE: Continuance

Hi JT,

Thank you for your email. I will pass this along to the Councilors.

They will vote on the 13th of January to continue to February 3rd meeting.

Merry Christmas!

All my best,

Kaitlin

Kaitlin M. Wright, CMC



Haverhill

Board of Health
Inspection Service
Building/Zoning
Phone: 978-374-2325
978-374-2338
Fax: 978-374-2337

March 12, 2026

MAR 12 PM 12:01
HAUCITYCLERK

To President Tim Jordan and Members of City Council:

Inspectional Services met with the facility owner and the owner's representative, Mr. JT Couch of Creek Brook CML, to address concerns regarding doughnut odors originating from the manufacturing facility.

During this meeting, the owner and their representative acknowledged the issue and committed to implementing measures to mitigate the odor. Following several subsequent meetings and site visits, the facility has taken additional steps to further address and reduce the odor.

Please refer to the enclosed letter from Mr. Couch, which outlines the actions undertaken by the facility to mitigate the odor concerns.

Since the initial complaint was received, no additional odor complaints have been reported.

Inspectional Services will continue to monitor the situation and address any further concerns should they arise.

Sincerely,


Richard R MacDonald
Director of Inspectional Services

RM/kl

Cc: Mayor Melinda Barrett



Creek Brook CML
30 Creek Brook Drive
Haverhill, MA 01832
(978) 2072994
Creekbrookcml.com
jt@creekbrookcml.com

February 03, 2026

Dear Inspectional Services Department,

I am writing on behalf of Creek Brook CML INC. to formally confirm the compliance and quality of the recently installed air filtration system at our facility.

The air filtration system has been designed, constructed, and installed in full compliance with the latest and most stringent industry standards and specifications. All components of the system incorporate top of the line equipment from reputable manufacturers, selected specifically for superior performance, cleanliness, and energy efficiency.

Furthermore, the entire air handling equipment, including, but not limited to fans, filters, ductwork, controls, and associated mechanical systems have been built and installed in strict compliance with all applicable federal, state, and local building codes, mechanical codes (including the Massachusetts State Building Code and relevant amendments), ventilation standards (such as ASHRAE guidelines), and any other regulatory requirements governing air quality and HVAC installations in the Commonwealth of Massachusetts.

We engaged qualified licensed contractors and ensured that all work was performed under appropriate permits and subjected to thorough quality assurance checks during installation. The system is fully operational and meets or exceeds design specifications for air filtration efficiency, airflow rates, and contaminant control.

Thank you for your attention to this matter and for the important role your department plays in ensuring public safety and code adherence throughout the City of Haverhill. We appreciate your continued partnership and look forward to your confirmation of satisfactory compliance.

Warm Regards,

Joseph T. Couch IV

Joseph T. Couch IV
Director of Engineering

10.2

Document # 5-B

Bill Pillsbury, Economic Development and Planning Director, requests Zoning Amendment – Battery Energy Storage System

Continued from December 2, 2025

IN CITY COUNCIL: January 13, 2026

CONTINUED TO: January 27, 2026

10 YEAS, 0 NAYS, 1 ABSENT, 1 ABSTENTATION

Attest: Kaitlin M. Wright
Kaitlin M. Wright, CMC
City Clerk

IN CITY COUNCIL: JANUARY 27, 2026
CONTINUED TO: FEBRUARY 24, 2026 7 YEAS, 0 NAYS, 4 ABSENT

ATTEST: Kaitlin M. Wright
CITY CLERK

IN CITY COUNCIL: FEBRUARY 24, 2026
CONTINUED TO: MARCH 17, 2026

ATTEST: Kaitlin M. Wright
CITY CLERK

Kaitlin Wright

From: Lisa Mead <lisa@mtclawyers.com>
Sent: Friday, March 13, 2026 9:53 AM
To: Kaitlin Wright; Jacki Byerley; Tim Jordan
Cc: Lori Robertson; Natalia Hernandez
Subject: Re: BESS Zoning Hearing

Follow Up Flag: Follow up
Flag Status: Flagged

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

Kaitlin

This is a zoning ordinance which requires the 14 day advertising. So I suspect the later April date.
Lisa

Lisa L. Mead
[she/her/hers]
Mead, Talerman & Costa LLC
30 Green St
Newburyport MA 01950
978 463 7700 ext 101
978 463 7747 (fax)

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Get [Outlook for iOS](#)

From: Kaitlin Wright <kwright@haverhillma.gov>
Sent: Friday, March 13, 2026 9:51:23 AM
To: Lisa Mead <lisa@mtclawyers.com>; Jacki Byerley <JByerley@HaverhillMa.gov>; Tim Jordan <tjordan@haverhillma.gov>
Cc: Lori Robertson <lrobertson@haverhillma.gov>; Natalia Hernandez <NHernandez@HaverhillMa.gov>
Subject: RE: BESS Zoning Hearing

Thank you, Lisa. I am seeking an additional clarification. Are you trying to schedule for A or B?

Kaitlin Wright

From: Jacki Byerley
Sent: Friday, January 23, 2026 11:06 AM
To: Kaitlin Wright; Lisa Mead; Tim Jordan
Cc: Mayor; Lori Robertson; Christine Lindberg; Natalia Hernandez
Subject: RE: BESS Zoning Hearing

Hi Kaitlin, these regulations are still being reviewed and won't be ready for January 27th Council meeting. Can you please continue this to the February 24th meeting?

Thank you,
Jacki

From: Kaitlin Wright <kwright@haverhillma.gov>
Sent: Thursday, January 22, 2026 3:30 PM
To: Lisa Mead <lisa@mtclawyers.com>; Tim Jordan <tjordan@haverhillma.gov>
Cc: Mayor <mayor@haverhillma.gov>; Lori Robertson <lrobertson@haverhillma.gov>; Christine Lindberg <clindberg@haverhillma.gov>; Natalia Hernandez <NHernandez@HaverhillMa.gov>; Jacki Byerley <JByerley@HaverhillMa.gov>
Subject: RE: BESS Zoning Hearing

Hi Lisa,

We are preparing the Council agenda for the January 27th meeting.

Wondering if the Battery Energy Storage System is ready to be heard on the 27th or if you think it will be continued again? If it needs to be continued, I will include that in the agenda packet.

All my best,

Kaitlin

Kaitlin M. Wright, CMC
City Clerk
4 Summer Street, Room 118
Office: (978) 374-2312
Fax: (978) 373-8490
kwright@haverhillma.gov

103

Document # 5 - B

William Pillsbury, *Economic Development and Planning Director*, requests Zoning Amendment
- Battery Energy Storage Systems

Continued from August 5, 2025

IN CITY COUNCIL: SEPTEMBER 30, 2025

**COUNCIL VOTED TO CONTINUED TO DECEMBER 2, 2025
MEETING**

10 YEAS, 0 NAYS, 1 ABSENT, 0 ABSTENTATION

Attest: Kaitlin M. Wright
Kaitlin M. Wright, CMC
City Clerk

IN CITY COUNCIL: DECEMBER 2, 2025
VOTED TO CONTINUE TO JANUARY 13, 2026

ATTEST: Kaitlin M. Wright
CITY CLERK

10-1

Kaitlin Wright

From: Lisa Mead <lisa@mtclawyers.com>
Sent: Wednesday, November 19, 2025 1:51 PM
To: Kaitlin Wright; Thomas J Sullivan, Esq.; Thomas J. Sullivan
Cc: William Pillsbury; Mayor; Lori Robertson; Christine Lindberg; Natalia Hernandez; Jacki Byerley
Subject: RE: BESS Zoning Hearing

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

The 14th please

13th

Lisa L. Mead

[she/her/hers]



Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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Think before you print.

From: Kaitlin Wright <kwright@haverhillma.gov>
Sent: Wednesday, November 19, 2025 12:53 PM
To: Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>; Lisa Mead <lisa@mtclawyers.com>; Thomas J. Sullivan <tsullivan@haverhillma.gov>
Cc: William Pillsbury <wpillsbury@haverhillma.gov>; Mayor <mayor@haverhillma.gov>; Lori Robertson <lrobertson@haverhillma.gov>; Christine Lindberg <clindberg@haverhillma.gov>; Natalia Hernandez



Hearing March 18, 2025

Haverhill

Economic Development and Planning
Phone: 978-374-2330 Fax: 978-374-2315
wpillsbury@HaverhillMA.gov

5

JAN 2 03:41
Haverhill City Clerk

DATE: January 7, 2025

MEMO TO: City Council President Thomas Sullivan and members of the Haverhill City Council

FROM: William Pillsbury, Economic Development and Planning Director

RE: Zoning Amendment- Battery Energy Storage Systems

Attached please find a proposed zoning ordinance amendment prepared by City Solicitor Lisa Mead. The proposed amendment creates a regulatory framework and necessary tools for detailed and thorough review of any applications filed to create Battery storage facilities.

I request that the council refer the proposed ordinance to the planning board for a hearing to be held on February 12, 2025, and also schedule a hearing before the council on the proposed amendment shortly thereafter.

Thank you for your attention to this matter.

RECOMMENDATION: Refer the proposed amendment to the Planning BOARD FOR A HEARING ON FEBRUARY 12, 2025 and schedule a hearing on the city council agenda shortly thereafter.

IN CITY COUNCIL: January 7 2025
REFER TO PLANNING BOARD AND VOTED THAT
COUNCIL HEARING BE HELD MARCH 18 2025
Attest: Kathie M. Wright City Clerk

IN CITY COUNCIL: July 8 2025
REQUEST TO CONTINUE TO AUGUST 5 2025
Attest: Kathie M. Wright City Clerk

IN CITY COUNCIL: March 18 2025
HEARING CONTINUED TO APRIL 29 2025
Attest: Kathie M. Wright City Clerk

IN CITY COUNCIL: August 5 2025
CONTINUE TO SEPTEMBER 30, 2025
Attest: Kathie M. Wright City Clerk

IN CITY COUNCIL: April 29 2025
HEARING CONTINUED TO JUNE 3 2025
Attest: Kathie M. Wright City Clerk

IN CITY COUNCIL: June 3 2025
REQUEST TO CONTINUE BY CITY SOLICITOR TO JULY 8 2025
4 Summer Street—Room 201, Haverhill, MA 01830 www.cityofhaverhill.com

Attest: Kathie M. Wright City Clerk

Kaitlin Wright

From: Lisa Mead <lisa@mtclawyers.com>
Sent: Wednesday, September 24, 2025 4:56 PM
To: Kaitlin Wright; Thomas J Sullivan, Esq.
Cc: William Pillsbury; Mayor; Lori Robertson
Subject: RE: BESS Zoning Hearing

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

This will need to be continued to the first meeting in December. I believe that is what we discussed Mayor, correct?

Lisa

Lisa L. Mead

[she/her/hers]



Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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 Think before you print.

From: Kaitlin Wright <kwright@haverhillma.gov>
Sent: Wednesday, September 24, 2025 4:39 PM
To: Lisa Mead <lisa@mtclawyers.com>; Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>
Cc: William Pillsbury <wpillsbury@haverhillma.gov>; Mayor <mayor@haverhillma.gov>; Lori Robertson

Kaitlin Wright

From: Lisa Mead <lisa@mtclawyers.com>
Sent: Thursday, July 31, 2025 4:48 PM
To: Thomas J Sullivan, Esq.
Cc: Kaitlin Wright; William Pillsbury; Mayor; Lori Robertson
Subject: RE: BESS Zoning Hearing

Warning! External Email. Exercise caution when opening attachments or clicking on any links.
Go to the last meeting in September.

Lisa L. Mead

[she/her/hers]



Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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 Think before you print.

From: Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>
Sent: Thursday, July 31, 2025 4:31 PM
To: Lisa Mead <lisa@mtclawyers.com>
Cc: Kaitlin Wright <kwright@haverhillma.gov>; William Pillsbury <wpillsbury@haverhillma.gov>; Mayor <mayor@haverhillma.gov>; Lori Robertson <lrobertson@haverhillma.gov>
Subject: Re: BESS Zoning Hearing

10.2

Kaitlin Wright

From: Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>
Sent: Thursday, July 3, 2025 11:29 AM
To: Lisa Mead; Kaitlin Wright; William Pillsbury
Cc: Mayor; Lori Robertson
Subject: RE: BESS Zoning Hearing

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

Hi,

Let's continue until the first meeting in August please.

TY!

August 5, 2025

Tom

Thomas J. Sullivan, Esq.
Downey Law Group, LLC
tsullivan@dlgclosing.com

Main Office and Mailing Address:
462 Boston Street
Topsfield, MA 01983
Phone: (978) 887-1000
Fax: (978) 887-1021



Satellite Office:
345 Main Street
Haverhill, MA 01830
Phone: 978-373-2200

From: Lisa Mead <lisa@mtclawyers.com>
Sent: Thursday, July 3, 2025 11:25 AM
To: Kaitlin Wright <kwright@haverhillma.gov>; Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>; William Pillsbury <wpillsbury@haverhillma.gov>
Cc: Mayor <mayor@haverhillma.gov>; Lori Robertson <lrobertson@haverhillma.gov>
Subject: RE: BESS Zoning Hearing

Please continue it again, we are waiting to hear from the developer. I would take it out a month.

Lisa L. Mead

[she/her/hers]

Kaitlin Wright

From: Lisa Mead <lisa@mtclawyers.com>
Sent: Sunday, June 1, 2025 7:22 PM
To: Thomas J Sullivan, Esq.; Thomas J. Sullivan; Kaitlin Wright
Cc: William Pillsbury; Mayor
Subject: BESS Zoning

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

Tom,

Please continue this public hearing to your first meeting in July. We are waiting to hear back from the developers.

Thank you,

Lisa

Lisa L. Mead

[she/her/hers]



Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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 Think before you print.

Kaitlin Wright

From: William Pillsbury
Sent: Monday, April 28, 2025 11:30 AM
To: Kaitlin Wright
Cc: Mayor; Lori Robertson; Lisa Mead
Subject: Request to postpone Zoning hearing on Battery Storage

Hi Kaitlin: At the request of City Solicitor Lisa Mead after discussion with President Sullivan, please accept this request to postpone the hearing on the Battery Energy Storage Systems (BESS) to the meeting of June 3rd. Thanks for your attention to this matter.

William Pillsbury
Economic Development and Planning Director

APR 28 AM 11:31
HAWCITYCLERK

#4 ✓

10, 2, 1, 4

Maria Bevilacqua

To: HGLegals@hgazette.com
Cc: Kaitlin Wright
Subject: Hearing - Zoning Amendment-add new section 7.9 Battery Energy Storage Systems
Attachments: Hearing Zoning 2025 - Add new section 7.9 Battery Energy Storage Systems-Gazette Feb 20 & 27 2025.docx

Afternoon:

Please run this Hearing ad 2 times in the Gazette – Feb 20 & 27, 2025. Hearing Zoning Amendment – add a new section 7.9 Battery Energy Storage Systems.

Questions - please contact me at 978-420-3624.

Thank you!

Maria Bevilacqua

City Clerk's Office
Room 118
4 Summer st
Haverhill, MA 01830



Haverhill

City Clerk's Office, Room 118
Phone: 978-420-3623 Fax: 978-373-8490
cityclerk@cityofhaverhill.com

January 7, 2025

HYBRID HEARING

City Council Chambers, City Hall, Room 202, 4 Summer st

Notice is hereby given that a hearing will be held for all parties interested, in a hybrid meeting (virtual/in person), on Tuesday, March 18, 2025 at 7:00 pm on a request from Economic Development and Planning Director, William Pillsbury, for a Zoning Amendment – add a new section 7.9 Battery Energy Storage Systems
REFER TO PLANNING BOARD AND
COUNCIL HEARING MARCH 18, 2025

(Residents who are interested in commenting on this item can either (1) Attend in person (Council Chambers, Room 202) or (2) Attend remotely using the link provided on the public meeting calendar on the City's website)

Description of area, maps and plans are on file in the City Clerk's Office.

Advertise: February 20 & February 27, 2025
Haverhill Gazette

Kaitlin M Wright
City Clerk



DOCUMENT 5-B

1012

CITY OF HAVERHILL

In Municipal Council January 7 2025

~~ORDERED~~ MUNICIPAL ORDINANCE CHAPTER
An Ordinance re: Zoning - Add new section 7.9 Battery Storage Systems

Since this Ordinance exceeds in length eight octavo pages of ordinary book print, in lieu of advertising, it is published by the City Council in a municipal bulletin placed on file in the City Clerk's Office and posted on the municipal bulletin in City Hall.

5-B

PLACED ON FILE for at least 10 days

Attest;

Kaitlin M. Wright Clerk

Maria Bevilacqua

Hearing!

From: North of Boston <noreply@wave2adportal.com>
Sent: Friday, January 10, 2025 4:16 PM
To: Maria Bevilacqua; Maria Bevilacqua
Subject: Thank you for placing your order with us.
Attachments: W01296210.pdf

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THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

Job Details	Schedule for notice number W01296210
Order Number: W0129621 Business Type: All Other Public Notices Notice Size: Public Notices Notice Estimate: \$184.62 Referral Code: Hearing 7.9 Battery Energy Storage	Thu Feb 20, 2025 Haverhill Gazette Public Notices All Zones Thu Feb 27, 2025 Haverhill Gazette Public Notices All Zones
Account Details Haverhill Clerk 4 SUMMER ST STE 118 HAVERHILL, MA 01830 978-374-2312 cityclerk@cityofhaverhill.com HAVERHILL CITY CLERK	<p style="text-align: center;">HYBRID HEARING</p> <p style="text-align: center;">City Council Chambers, City Hall, Room 202, 4 Summer st</p> <p>Notice is hereby given that a hearing will be held for all parties interested, in a hybrid meeting (virtual/in person), on Tuesday, March 18, 2025 at 7:00 pm on a request from Economic Development and Planning Director, William Pillsbury, for a Zoning Amendment – Mixed Use</p> <p style="text-align: center;">REFER TO PLANNING BOARD AND COUNCIL HEARING MARCH 18, 2025</p> <p>(Residents who are interested in commenting on this item can either (1) Attend in person (Council Chambers, Room 202) or (2) Attend remotely using the link provided on the public meeting calendar on the City's website)</p> <p>Description of area, maps and plans are on file in the City Clerk's Office.</p> <p style="text-align: right;">Kaitlin M Wright City Clerk</p> <p>HG - Publication Dates</p>

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Maria Bevilacqua

From: CMacDonald@salemnews.com on behalf of HGLegals@hgazette.com
Sent: Friday, January 10, 2025 4:15 PM
To: Maria Bevilacqua
Cc: Maria Bevilacqua
Subject: Re: Hearing - Zoning Amendment-add new section 7.9 Battery Energy Storage Systems

Thank you for your email. This notice has been placed through our online legal notice portal. The confirmation has been emailed to you with the proof copy, print date, and cost. An invoice will be sent at the end of the month.

Please let us know if you need any changes of if you have not received the confirmation email.

Cordially,
Christa MacDonald
Haverhill Gazette
North of Boston Media Group
978-946-2157
100 Turnpike St.
North Andover, MA 01845

- Emails received after **3:00 p.m.** will not be processed until the following business day. This includes both requests for changes and new orders. For urgent matters please contact our Legal Advertising Manager, Christa MacDonald, at cmacdonald@northofboston.com
- Please review your proof promptly. If no changes are requested, the notice will print as shown.
- To our pre-pay customers -- payment will be required before publication.

From: "Maria Bevilacqua" <maria@haverhillma.gov>
To: "HGLegals@hgazette.com" <HGLegals@hgazette.com>
Cc: "Kaitlin Wright" <kwright@haverhillma.gov>
Date: 01/07/2025 03:14 PM
Subject: Hearing - Zoning Amendment-add new section 7.9 Battery Energy Storage Systems

Afternoon:

Please run this Hearing ad 2 times in the Gazette – Feb 20 & 27, 2025. Hearing Zoning Amendment – add a new section 7.9 Battery Energy Storage Systems.

Questions - please contact me at 978-420-3624.

Thank you!

Maria Bevilacqua

Ordinance

From: North of Boston <noreply@wave2adportal.com>
Sent: Friday, January 10, 2025 3:59 PM
To: Maria Bevilacqua; Kaitlin Wright
Subject: Thank you for placing your order with us.
Attachments: W01296150.pdf

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<p>Job Details Order Number: W0129615 Business Type: All Other Public Notices Notice Size: Public Notices Notice Estimate: \$46.15 Referral Code: Zoning Ordinance Battery Storage Systems</p>	<p>Schedule for notice number W01296150 Thu Feb 20, 2025 Haverhill Gazette Public Notices All Zones CITY OF HAVERHILL In Municipal Council Municipal Ordinance Chapter An Ordinance re: Zoning - Add new section 7.9 Battery Storage Systems Since this Ordinance exceeds in length eight octavo pages of ordinary book print, in lieu of advertising, it is published by the City Council in a municipal bulletin placed on file in the City Clerk's Office and posted on the municipal bulletin in City Hall. PLACED ON FILE for at least 10 days Attest: Kaitlin M Wright City Clerk HG - February 20 2025</p>
<p>Account Details Haverhill Clerk 4 SUMMER ST STE 118 HAVERHILL, MA 01830 978-374-2312 cityclerk@cityofhaverhill.com HAVERHILL CITY CLERK</p>	

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Maria Bevilacqua

City Clerk's Office

Room 118

4 Summer st

Haverhill, MA 01830[attachment "Hearing Zoning 2025 - Add new section 7.9 Battery Energy Storage Systems-Gazette Feb 20 & 27 2025.docx" deleted by Christa MacDonald/NOB]

16.3

Document # 5-B

Ordinance re: Zoning - Add a new section 7.9 Battery Energy Storage Systems

filed January 9, 2025

IN CITY COUNCIL: SEPTEMBER 30, 2025

CONTINUED TO DEC 2, 2025

9 YEAS, 0 NAYS, 1 ABSENT, 1 ABSTENTATION

Attest: Kaitlin M. Wright
Kaitlin M. Wright, CMC
City Clerk

Approved: Melinda E. Barrett
Melinda E. Barrett, Mayor

5-B

MUNICIPAL ORDINANCE CHAPTER 255 Zoning

filed
8 Octavo pages
11/3/11

AN ORDINANCE RELATING TO AMENDING CHAPTER 255, ZONING BY ADDING A NEW SECTION 7.9 BATTERY ENERGY STORAGE SYSTEMS

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 255, Zoning, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows by inserting the following new section 7.9 entitled "Battery Energy Storage Systems";

Far Hearing 11/11/11, 2025

§7.9 BATTERY ENERGY STORAGE SYSTEMS

§7.9.1. Purpose.

The purpose of this Section is to advance and protect the public health, safety, welfare, and quality of life by creating regulations for the installation and use of free-standing battery energy storage systems ("BESS"), with the following objectives:

- A. To provide a regulatory scheme for the location, construction and operation of free-standing BESS consistent with best practices and safety protocols;
- B. To ensure compatible land uses in the vicinity of the areas affected by BESS and to mitigate any potential impacts on abutting and nearby properties; and
- C. To mitigate the impacts of BESS on environmental resources such as agricultural lands, forests, wildlife, wetlands and other natural resources.

This Section shall be construed to be consistent with state law, including but not limited to the provisions of General Laws chapter 40A, section 3, and state regulations, including but not limited to the provisions of the State Building Code, State Fire Code, and State Electrical Code. In the event of any conflict between the provisions of this section and the provisions of state law or regulations, the state law and regulations shall prevail.

7.9.2. Definitions.

See "battery energy storage systems" in Section 11.0

7.9.3 Applicability.

- A. The requirements of this ordinance shall apply to BESS permitted, installed, decommissioned or modified after the effective date of this ordinance, excluding general maintenance and repair. BESS subject to this ordinance are only those that exceed the following capacities:

5-B

10.2.1.5

- Lead-acid with a capacity of greater than 70 kW
- Nickel with a capacity of greater than 70 kW
- Lithium-ion with a capacity of greater than 30 kW
- Sodium nickel chloride with a capacity of greater than 20 kW
- Flow with a capacity of greater than 20 kW
- Other battery technologies with a capacity of greater than 20 kW

B. Only BESS that meet the criteria herein shall be permitted under this ordinance. BESS permitted under and subject to this ordinance shall be classified either as a Tier 1, Tier 2 or Tier 3 BESS as set forth herein. All sizes noted in this section shall include the total capacity of the proposed facility and not refer solely as a limitation on total export. For avoidance of doubt, a proposed system which has an export capacity of 50 MW but has a total storage or redundancy capacity of 100 MW shall be treated as a 100 MW system.

1. Tier 1 BESS have an aggregate capacity less than or equal to 500 kW, derive 51% or more of their power from Solar Energy Systems as defined herein, and, if in a room or enclosed area, consist of only a single energy storage system technology.
2. Tier 2 BESS consist of those which meet one or more of the following criteria;
 - a. have an aggregate energy capacity greater than 500kW and less than 5 MW, but no greater than 5 MW;
 - b. are comprised of more than one storage battery facility in a room or enclosed area;
 - c. derive less than 51% of their power from Solar Energy Systems as defined herein.
3. Tier 3 BESS consist of those which meet one or more of the following criteria;
 - a. have an aggregate capacity greater than 5 MW, but no greater than 200MW;
 - b. are comprised of more than one storage battery facility in a room or enclosed area;
 - c. derive less than 51% of their power from Solar Energy Systems as defined herein.

§ 7.9.4. General Requirements

- A. All permits required by state codes, including but not limited to building permit, an electrical permit, and a fire department permit shall be required for installation of all BESS.
- B. All BESS, all Dedicated Use Buildings, and all other buildings or structures that (a) contain or are otherwise associated with a battery energy storage system; and (b) subject to the requirements of the State Building Code, shall be designed, erected, and installed in accordance with all applicable provisions of the State Building Code

5B

10.2.1.5

780 CMR, State Fire Code 527 CMR 1.00, and State Electrical Code 527 CMR 12.00. All BESS shall comply with NFPA 855, Standard for the Installation of Stationary Energy Storage Systems.

- C. Energy storage system capacities, including array capacity and separation, are limited to the thresholds contained in NFPA 855.

§ 7.9.5. Permitting Requirements for Tier 1 BESS

Tier 1 BESS are allowed by right in all zoning districts, subject to applicable provisions of the State Building Code, Electrical Code, Fire Code, and other applicable codes, and are subject to site plan review in accordance with section 10.8 hereof and such provisions of this ordinance as are applicable.

Tier 1 BESS and appurtenances shall be prohibited in the Zone A and Zone 1 public water supply protection areas.

§ 7.9.6. Permitting Requirements for Tier 1, Tier 2 and Tier 3 BESS

§ 7.9.6.1 Special Permit Required. Tier 2 and Tier 3 BESS subject to this ordinance require the issuance of a Special Permit in those zoning districts identified in Appendix A, Table 1, and are subject to Major Site Plan Review pursuant to Section 10.8. Tier 2 and Tier 3 BESS shall comply with the applicable requirements set forth in this ordinance including the General Special Permit Criteria set forth in section 10.4.2, as well as this Section 7.9 , and the Haverhill General Ordinances. The City Council shall be the Special Permit Granting Authority (“SPGA”). The Applicant shall be required to submit all materials required in accordance with the SPGA Rules and Regulations, in addition to any other materials necessary or as may be required in order to support that the Application meets the Design Requirements set forth in section 7.9.6.2 herein.

§ 7.9.6.1.1 Development Review Required As Part of Hearing Process: For the purpose of a Special Permit filed hereunder, the Applicant shall be required to submit a complete application for a Special Permit in accordance with the Requirements hereunder. Following the opening of the Public Hearing by the SPGA, the Application shall be referred to the Development Review Committee as set forth in §10.1.4 hereof. The Development Review Committee shall meet with the Applicant who shall be required to provide any additional information as the Committee may reasonably request and the Development Review Committee shall provide the SPGA with its recommendations within ninety (90) days of the date upon which the application was thereto referred.

§ 7.9.6.1.2 Prohibitions: Notwithstanding the foregoing, Tier 2 and Tier 3 BESS and appurtenances shall be prohibited in the Zone A and Zone 1 public water supply protection areas.

§ 7.9.6.2 Design Requirements. The following requirements apply to all BESS subject to this ordinance, except where it is specifically noted to apply only to Tier 2 or Tier 3 BESS:

- A. Site Plan Drawings. The Applicant shall provide a full set of Site Drawings stamped by a Massachusetts Registered Professional Engineer inclusive of items set forth in section 7.9.7.K.1 hereof.

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- B. Utility Lines and Electrical Circuitry. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles.
- C. Signage. Signage shall comply with the requirements of Section 6.2 of this Zoning Ordinance and the following additional requirements; in the event of a conflict between the provisions of Section 6.2 and this section, the requirements of this section shall control.
 - 1. The signage shall be in compliance with ANSI Z535 and shall include the type of technology associated with the BESS, any special hazards associated, the type of suppression system installed in the area of BESS, and 24-hour emergency contact information, including reach-back phone number.
 - 2. As required by the state electrical code, disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
 - 3. Signage compliant with ANSI Z535 shall be provided on doors to rooms, entrances to BESS facilities, and on BESS outdoor containers.
- D. Lighting. Lighting of the BESS shall be limited to that minimally required for safety, security and operational purposes, shall be shielded from abutting properties, shall be directed downward, shall incorporate full cut-off fixtures to reduce light pollution and shall otherwise be consistent with local, state and federal law. A photometric plan shall be required.
- E. Vegetation and tree cutting. Areas within ten feet on each side of Tier 2 and Tier 3 BESS shall be cleared of combustible vegetation and other combustible growth. Single specimens of trees, shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers shall be permitted provided that they do not form a means of readily transmitting fire. Removal of trees should be minimized to the extent possible. No tree or vegetation clearing shall be permitted within the Setbacks as noted below except for the purposes of the area of ingress and egress to the site. Vegetation control in the Water Supply Protection Overlay District (WSPOD) shall be by mowing or other mechanical means. The use of synthetic pesticides, herbicides, and fertilizers shall be prohibited for BESS facilities within the WSPOD.
- F. Setbacks. Tier 2 and Tier 3 BESS shall be set back a minimum of 50 yards from all side, rear, and front lot lines; except that Tier 2 and Tier 3 BESS shall be set back a minimum of 100 yards from side, rear, and front lot lines that abut or are across a street from residential zoning districts or existing single, two-family, or multi-family structures. The minimum setback areas shall include a Buffer Area at least fifty feet wide along all property lines. Access drives and parking are allowed in the setback areas, except emergency access as noted below, but shall not intrude into the required setback areas except where necessary to provide access or egress to the property. In addition, a minimum of 50 feet must be maintained between BESS components and all buildings, stored combustible materials, hazardous materials, high-piled storage, personnel means of egress, and other exposure hazards not associated with electrical grid infrastructure.
- G. Emergency Access: There shall be a 60-foot-wide paved emergency access road around the

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complete perimeter of the facility but inside the required setback area which may not exceed a 7% grade at any time. Ongoing maintenance of the access road including snow removal after 3 inches of snow shall be included as part of the Operations and Maintenance Plan required herein.

- H. Lot Size. The minimum lot size for Tier 1 BESS shall not be less than 1 acre. The minimum lot size for a Tier 2 BESS shall be not less than 10 acres and the minimum lot size for a Tier 3 BESS shall be no less than 20.
- I. Dimensional. All BESS shall comply with the dimensional limitations for principal structures of the underlying zoning district as provided in Appendix B, Table 2, of this Zoning Ordinance, unless otherwise provided in this ordinance. No BESS shall exceed 15 feet in height and there shall be no vertical stacking of BESS units.
- J. Fencing Requirements. Tier 2 and Tier 3 BESS, including all mechanical equipment, shall be enclosed by a minimum eight-foot high fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated-use building. All gates shall accommodate a knock box or other accessible means to allow access to public safety personnel. Security barriers, fences, landscaping, and other enclosures must not inhibit required air flow to or exhaust from the BESS and components. Electrical equipment greater than 1,000V require a separate and additional means to restrict access. NFPA 855 requires specialty safety systems to be provided based on the BESS chemistry and installed location.
- K. Screening and Visibility. Tier 2 and Tier 3 BESS shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area. Such features may not inhibit required air flow to or exhaust from the BESS and components and must comply with the setbacks established in paragraph G above.
- L. Failure Protection. All Tier 2 and Tier 3 BESS shall include an impenetrable layer beneath the surface and no closer than four (4) feet to the closest water table which will cause any discharge to flow into a basin located on site which will then capture and/or treat any runoff as a result of a failed battery or fire or other destruction. The Application shall include details of the proposed catchment system along with a detailed stormwater report and stamped detailed engineering plans from a Massachusetts Registered Professional Engineer depicting the stormwater system. All BESS facilities located within the WSPOD shall have full containment to capture all releases, either intentionally from maintenance or accidental in nature. Release and runoff shall not be allowed.
- M. Batteries. Failed battery cells and modules shall not be stored on the site and shall be removed no later than 30 days after deemed failed by the BESS operator or cell/module manufacturer. The operator shall notify the Haverhill Fire Chief in advance if the type of battery or batteries used onsite is to be changed. All failed battery cells and modules shall not be stored outdoors and must be protected from further damage and potential release of contaminants to the environment.
- N. Storage. No equipment or hazardous materials, in liquid, dry, or gas form, shall be stored onsite of the BESS other than those items in quantities necessary for the proper operation of the facility. Any storage for materials deemed necessary shall be properly labeled, covered and contained to protect from release to the environment.

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- O. Acoustical Impacts. No system shall cause an increase in acoustical levels over ambient at the Property line. An acoustical study prepared by a Massachusetts Registered Acoustical Engineer shall be provided.
- P. Water Source. A municipal water source shall be provided including a FDC within 100 feet before the entrance to the Hazard Area on the Property. The Applicant shall present evidence including a hydraulic analysis in accordance to the City standard to support that there is adequate volume and pressure for fire suppression on the Property and not have a detrimental impact on the surrounding neighborhood. The applicant shall be required to make any related offsite improvement to achieve the required standard to alleviate any impact on the adjacent users.
- Q. Decommissioning Plan. The applicant shall submit with its application a decommissioning plan for all BESS to be implemented upon abandonment and/or in conjunction with removal of the facility. The owner or operator of the BESS shall notify the Building Commissioner in writing at least twenty days prior to when a BESS will be decommissioned. Decommissioning of an abandoned or discontinued BESS shall be completed within six months after the facility ceases operation. The decommissioning plan shall include:
 - 1. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all BESS components, structures, equipment, security barriers, and transmission lines from the site;
 - 2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
 - 3. The anticipated life of the BESS;
 - 4. The estimated decommissioning costs and how said estimate was determined, including an allowance for annual cost of living increases or increases due to inflation;
 - 5. The method of ensuring that funds will be available for decommissioning and restoration;
 - 6. The method by which the decommissioning cost will be kept current;
 - 7. The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the BESS, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and
 - 8. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.
- R. Decommissioning Fund. The owner and/or operator of the energy storage system, shall

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continuously maintain a fund or other surety acceptable to the City, in a form approved by the City Council and City Solicitor, for the removal of the BESS, in an amount to be determined by the City, and which includes the City as loss payee, for the period of the life of the facility. All costs of the financial security shall be borne by the Applicant.

- S. Proof of Liability Insurance. The applicant or property owner shall provide evidence of commercial liability insurance in an amount and type generally acceptable in the industry and approved by the Planning Board prior to the issuance of a building permit, and shall continue such insurance in effect until such facility has been decommissioned, removed, and the site restored in accordance with this ordinance.

§ 7.9.6.3 Special Permit Criteria. In addition to the general Special Permit criteria set forth in section 10.4.2 of this Ordinance, an application for Tier 2 or Tier 3 BESS shall meet the following criteria:

A. The project protects the ground water and surrounding properties from catastrophic failure of one or more of the batteries or cells by implementing appropriate catchment and filtration systems for water run off or run off from the system.

B. The project appropriately attenuates sound intrusion beyond the property lines onto adjacent properties so that there is no change in ambient sound after construction and during operations of the system.

C. The project includes only dark sky compliant down lighting which does not intrude beyond the property lines onto adjacent properties.

D. The project is secure and addresses possible trespass or other intrusion by individuals not affiliated with the project.

E. The project meets the public safety needs of the City.

F. The project minimizes visual impacts from utility infrastructure for interconnection.

F. The project is minimally visible from adjacent properties.

§ 7.9.7. Site Plan application.

For all BESS the Site Plan application shall include the following information, in addition to that required by Section 10.8 of this Zoning Ordinance and the applicable Planning Board requirements governing Site Plan Applications:

A. Utility Infrastructure information requirements:

1. A one- or three-line electrical diagram detailing the BESS layout, associated components, and electrical interconnection methods, with all State Electrical Code compliant disconnects and over current devices.
2. The Applicant shall provide a copy of the fully executed Interconnection Services Agreement ("ISA") with the local utility distribution company.
3. If the ISA has not been issued, the Applicant shall be required to provide a full copy of the Application for Interconnection filed with the local utility distribution

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company.

- B. Preliminary equipment specification sheets that document the proposed BESS components, inverters and associated electrical equipment that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
- C. Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the BESS. Such information of the final system installer shall be submitted prior to the issuance of building permit.
- D. Large-scale fire test data, evaluation information, and calculations, and modeling data. For any of the following, UL 9540A fire test data must be made available to the Planning Board for review:
 - BESS systems with a capacity of greater than 50 kW
 - BESS systems with spacing between arrays of less than 3 feet
- E. Commissioning Plan. The system installer or commissioning agent shall prepare a commissioning plan prior to the start of commissioning. Such plan shall be compliant with NFPA 855 and document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in applicable state codes. Where commissioning is required by the Building Code, BESS commissioning shall be conducted by a Massachusetts Licensed Professional Engineer after the installation is complete but prior to final inspection and approval. A corrective action plan shall be developed for any open or continuing issues that are allowed to be continued after commissioning. A report describing the results of the system commissioning and including the results of the initial acceptance testing required by applicable state codes shall be provided to Zoning Enforcement Officer prior to final inspection and approval and maintained at an approved on-site location.
- F. Fire Safety Compliance Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with state codes, including documentation that BESS components comply with the safety standards set forth in subsection 7.9.9. Such plan shall also include a detailed training plan for public safety personnel.
- G. Operation and Maintenance Manual. Such plan shall describe continuing BESS maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information and shall meet all requirements set forth state codes and NFPA 855. Maintenance provisions will be driven by manufacturer requirements for the specific listed system. It shall address maintenance of the access and perimeter roadways, perimeter fencing, and shall include a snow removal plan and 24 hours access requirements by public safety officials. There shall be an annual; acoustical review to assure ongoing compliance with the requirement of no change from ambient at the property line and fire department inspection.
- H. Depending on the location of the BESS in relation to and its interaction with the electrical grid, interconnection will be completed per 527 CMR 12.00. System interconnections into utility grids shall be in accordance with NFPA 855 and the local distribution company standards for interconnection of distributed energy resources. An accessible disconnect is

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required per 527 CMR 12.00.

- I. Prior to the issuance of the building permit, AsBuilt engineering documents must be signed and sealed by a Massachusetts Licensed Professional Engineer and provided to the Building Commissioner and Planning Department .
- J. Emergency Operations Plan. An Emergency Operations Plan compliant with NFPA 855 is required. A copy of the approved Emergency Operations Plan shall be given to the system operator, the local fire department, local fire code official and police department. For so long as the BESS is operational, the operator shall provide the Fire Department, Police Department, Building Commissioner, and Mayor's office with contact information for personnel that can be reached 24 hours per day every day, and this contact information shall be updated by the operator whenever there is a change in the information. The operator shall also be required to have an official representative be present onsite not later than two hours after notification by the Fire Chief, Police Chief, or their designee. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, fire code officials, and emergency responders. The emergency operations plan shall include the following information:
 1. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
 2. Procedures for inspection and testing of associated alarms, interlocks, and controls, including time intervals for inspection and testing.
 3. Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
 4. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
 5. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.
 6. Procedures for safe disposal of BESS equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged BESS equipment from the facility.
 7. Other procedures as determined necessary by the City to provide for the safety of occupants, neighboring properties, and emergency responders.

8. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.

K. Each Application shall be accompanied by the following information:

1. A certified plot plan at a minimum scale of one inch equals 40 feet and a maximum scale of one inch equals 20 feet. The site plan shall contain:
 - a. Date of site plan with all revisions noted and dated. Title of development, North arrow, scale, map and lot number, name and address of record owner, name and address of person preparing the site plan.
 - b. The names of all owners of record of adjacent properties, and the map and lot number of the properties and all buildings.
 - c. Zoning district boundaries and flood zone boundaries shall be shown as they affect the property including limits of the WSPOD and public water supply Zone A and Zone I on the overall site plan.
 - d. Boundaries of the property and lines of existing street, lots, easements and areas dedicated to public use, including rights of way.
 - e. A locus map showing the location of the property with reference to surrounding area.
 - f. A table indicating all calculations necessary to determine conformance to Bylaw regulations including current required and proposed regulations.
 - g. Square footage of property to the nearest 10 square feet.

2. All plans must include the location of existing and proposed buildings, walls, fences, culverts, parking areas, loading areas, walkways and driveways.
 - a. Location and dimensions of utilities, gas, telephone, electrical, communications, water drainage, sewer and other waste disposal.
 - b. Location, type and dimensions of landscaping and screening.
 - c. Location of existing rock outcroppings, high points, vistas, ponds, depressions, wetlands, major trees (twelve-inch caliper and over) and any other significant existing features.
 - d. Two-foot contours where slopes are less than 15% and five-foot contours when 15% or more. Existing contours shall be indicated by dashed line. Proposed contours shall be indicated by solid line.
 - e. Dimensioned schematic drawings of all proposed buildings. Scale shall not exceed 1/4 inch equals one foot nor less than 1/8 inch equals one foot.
 - f. A narrative describing the proposal and addressing the foregoing requirements.
 - g. Location of street numbers indicated on the schematic drawings and/or site plan.

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- h. Surface and water pollution. A report on the impact of Stormwater runoff on adjacent and downstream surface water bodies, subsurface groundwater and the water table.
- i. Soils. The potential dangers of erosion and sedimentation caused by the operation and maintenance of the proposed development.
- j. General environmental impact. A report on the relationship of the proposed development of the major botanical, zoological, geological and hydrological resources of the site, and compatibility of the proposed development with adjacent or surrounding land uses and neighborhoods.
- k. Traffic impact. A report on existing street capacities, estimated average daily traffic generation, composition, peak hour levels and directional flows resulting from the proposed development, proposed methods to mitigate the estimated traffic impact and methodology and sources used to derive existing data and estimations.
- l. Renderings showing the proposed project in relationship to its surroundings.

§ 7.9.8. Ownership Changes.

If the owner of the BESS changes or the owner of the property changes, the Special Permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the Special Permit, Site Plan approval, and decommissioning plan. A new owner or operator of the BESS shall notify the Building Commissioner of such change in ownership or operator within 14 days of the ownership change. A new owner or operator must provide such notification to the Building Commissioner in writing.

§ 7.9.9. Safety

System Certification. BESS and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for BESS and Equipment) or approved equivalent, with subcomponents meeting each of the following standards as applicable:

- A. UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications),
- B. UL 1642 (Standard for Lithium Batteries),
- C. UL 1741 or UL 62109 (Inverters and Power Converters),
- D. Certified under the applicable electrical, building, and fire prevention codes as required.
- E. Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 (or approved equivalent) and applicable codes, regulations and safety standards may be used to meet system certification requirements.

Site Access. BESS shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including snow removal at a level acceptable to the local

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fire department.

BESS, components, and associated ancillary equipment shall have required working space clearances, and electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with NFPA 70.

§ 7.9.11. Abandonment

The BESS shall be considered abandoned when it ceases to operate consistently for more than one year. If the owner and/or operator fails to comply with decommissioning upon any abandonment, the City may, after compliance with any applicable state and federal constitutional requirements, enter the property and utilize the available bond and/or security for the removal of any BESS and restoration of the site in accordance with the decommissioning plan.

And further add the following new definition to § 11.1 of Chapter 255

§ 11.1

BATTERY ENERGY STORAGE SYSTEM (“BESS”) -- An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected. For the purposes of this bylaw, BESS are comprised of three (3) types as further described in § 7.9.3.B. of this bylaw; Tier 1 BESS, Tier 2 BESS and Tier 3 BESS.

And further to amend section 3.1.3, Table of Use and Parking regulations by allowing Tier 1, Tier 2 and Tier 3 BESS in the districts as follows:

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
I. MISCELLANEOUS COMMERCIAL USES (cont'd)															
22. Kennel or veterinary hospital in which all animals, fowl or other forms of life are completely enclosed in pens or other structures	BA	BA	N	N	N	N	N	BA	N	N	N	N	N	N	D
23. Commercial communications and/or television tower, provided that it shall be at least 500 feet from any R District	BA	N	N	N	N	N	N	BA	BA	BA	N	BA	BA	BA	None
24. Battery Energy Storage Systems: Tier 1	Y	N	Y	Y	None										
25. Battery Energy Storage Systems: Tier 2	N	CC	None												

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26. Battery Energy Storage Systems: Tier 3	N	N	N	N	N	N	N	N	N	N	N	N	N	CC	None
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IN CITY COUNCIL: January 7 2025
 PLACED ON FILE for at least 10 days

Attest:
 _____ City Clerk

IN CITY COUNCIL: March 18 2025
 CONTINUED TO APRIL 29 2025 (with Hearing)

Attest:
 _____ City Clerk

IN CITY COUNCIL: April 29 2025
 HEARING CONTINUED TO JUNE 3 2025

Attest:
 _____ City Clerk

IN CITY COUNCIL: June 3 2025
 REQUEST BY CITY SOLICITOR TO CONTINUE TO JULY 8 2025

Attest:
 _____ City Clerk

IN CITY COUNCIL: July 8 2025
 CONTINUED TO AUGUST 5, 2025

Attest:
 _____ City Clerk

IN CITY COUNCIL: August 5 2025
 CONTINUE TO SEPTEMBER 30, 2025

Attest:
 _____ City Clerk

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Filed ✓
8 Octavo pages

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COPY

MUNICIPAL ORDINANCE CHAPTER 255 Zoning

JAN 2 10 31 AM '15
Haverhill City Clerk

AN ORDINANCE RELATING TO AMENDING CHAPTER 255, ZONING BY ADDING A NEW SECTION 7.9 BATTERY ENERGY STORAGE SYSTEMS

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 255, Zoning, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows by inserting the following new section 7.9 entitled "Battery Energy Storage Systems";

For Hearing March 18, 2025

§7.9 BATTERY ENERGY STORAGE SYSTEMS

§7.9.1. Purpose.

The purpose of this Section is to advance and protect the public health, safety, welfare, and quality of life by creating regulations for the installation and use of free-standing battery energy storage systems ("BESS"), with the following objectives:

- A. To provide a regulatory scheme for the location, construction and operation of free-standing BESS consistent with best practices and safety protocols;
- B. To ensure compatible land uses in the vicinity of the areas affected by BESS and to mitigate any potential impacts on abutting and nearby properties; and
- C. To mitigate the impacts of BESS on environmental resources such as agricultural lands, forests, wildlife, wetlands and other natural resources.

This Section shall be construed to be consistent with state law, including but not limited to the provisions of General Laws chapter 40A, section 3, and state regulations, including but not limited to the provisions of the State Building Code, State Fire Code, and State Electrical Code. In the event of any conflict between the provisions of this section and the provisions of state law or regulations, the state law and regulations shall prevail.

7.9.2. Definitions.

See "battery energy storage systems" in Section 11.0

7.9.3 Applicability.

- A. The requirements of this ordinance shall apply to BESS permitted, installed, decommissioned or modified after the effective date of this ordinance, excluding general maintenance and repair. BESS subject to this ordinance are only those that exceed the following capacities:

- Lead-acid with a capacity of greater than 70 kW
- Nickel with a capacity of greater than 70 kW
- Lithium-ion with a capacity of greater than 30 kW
- Sodium nickel chloride with a capacity of greater than 20 kW
- Flow with a capacity of greater than 20 kW
- Other battery technologies with a capacity of greater than 20 kW

B. Only BESS that meet the criteria herein shall be permitted under this ordinance. BESS permitted under and subject to this ordinance shall be classified either as a Tier 1, Tier 2 or Tier 3 BESS as set forth herein. All sizes noted in this section shall include the total capacity of the proposed facility and not refer solely as a limitation on total export. For avoidance of doubt, a proposed system which has an export capacity of 50 MW but has a total storage or redundancy capacity of 100 MW shall be treated as a 100 MW system.

1. Tier 1 BESS have an aggregate capacity less than or equal to 500 kW, derive 51% or more of their power from Solar Energy Systems as defined herein, and, if in a room or enclosed area, consist of only a single energy storage system technology.
2. Tier 2 BESS consist of those which meet one or more of the following criteria;
 - a. have an aggregate energy capacity greater than 500kW and less than 5 MW, but no greater than 5 MW;
 - b. are comprised of more than one storage battery facility in a room or enclosed area;
 - c. derive less than 51% of their power from Solar Energy Systems as defined herein.
3. Tier 3 BESS consist of those which meet one or more of the following criteria;
 - a. have an aggregate capacity greater than 5 MW, but no greater than 200MW;
 - b. are comprised of more than one storage battery facility in a room or enclosed area;
 - c. derive less than 51% of their power from Solar Energy Systems as defined herein.

§ 7.9.4. General Requirements

- A. All permits required by state codes, including but not limited to building permit, an electrical permit, and a fire department permit shall be required for installation of all BESS.
- B. All BESS, all Dedicated Use Buildings, and all other buildings or structures that (a) contain or are otherwise associated with a battery energy storage system; and (b) subject to the requirements of the State Building Code, shall be designed, erected, and installed in accordance with all applicable provisions of the State Building Code

780 CMR, State Fire Code 527 CMR 1.00, and State Electrical Code 527 CMR 12.00. All BESS shall comply with NFPA 855, Standard for the Installation of Stationary Energy Storage Systems.

- C. Energy storage system capacities, including array capacity and separation, are limited to the thresholds contained in NFPA 855.

§ 7.9.5. Permitting Requirements for Tier 1 BESS

Tier 1 BESS are allowed by right in all zoning districts, subject to applicable provisions of the State Building Code, Electrical Code, Fire Code, and other applicable codes, and are subject to site plan review in accordance with section 10.8 hereof and such provisions of this ordinance as are applicable.

Tier 1 BESS and appurtenances shall be prohibited in the Zone A and Zone 1 public water supply protection areas.

§ 7.9.6. Permitting Requirements for Tier 1, Tier 2 and Tier 3 BESS

§ 7.9.6.1 Special Permit Required. Tier 2 and Tier 3 BESS subject to this ordinance require the issuance of a Special Permit in those zoning districts identified in Appendix A, Table 1, and are subject to Major Site Plan Review pursuant to Section 10.8. Tier 2 and Tier 3 BESS shall comply with the applicable requirements set forth in this ordinance including the General Special Permit Criteria set forth in section 10.4.2, as well as this Section 7.9, and the Haverhill General Ordinances. The City Council shall be the Special Permit Granting Authority (“SPGA”). The Applicant shall be required to submit all materials required in accordance with the SPGA Rules and Regulations, in addition to any other materials necessary or as may be required in order to support that the Application meets the Design Requirements set forth in section 7.9.6.2 herein.

§ 7.9.6.1.1 Development Review Required As Part of Hearing Process: For the purpose of a Special Permit filed hereunder, the Applicant shall be required to submit a complete application for a Special Permit in accordance with the Requirements hereunder. Following the opening of the Public Hearing by the SPGA, the Application shall be referred to the Development Review Committee as set forth in §10.1.4 hereof. The Development Review Committee shall meet with the Applicant who shall be required to provide any additional information as the Committee may reasonably request and the Development Review Committee shall provide the SPGA with its recommendations within ninety (90) days of the date upon which the application was thereto referred.

§ 7.9.6.1.2 Prohibitions: Notwithstanding the foregoing, Tier 2 and Tier 3 BESS and appurtenances shall be prohibited in the Zone A and Zone I public water supply protection areas.

§ 7.9.6.2 Design Requirements. The following requirements apply to all BESS subject to this ordinance, except where it is specifically noted to apply only to Tier 2 or Tier 3 BESS:

- A. Site Plan Drawings. The Applicant shall provide a full set of Site Drawings stamped by a Massachusetts Registered Professional Engineer inclusive of items set forth in section 7.9.7.K.1 hereof.

- B. Utility Lines and Electrical Circuitry. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles.
- C. Signage. Signage shall comply with the requirements of Section 6.2 of this Zoning Ordinance and the following additional requirements; in the event of a conflict between the provisions of Section 6.2 and this section, the requirements of this section shall control.
1. The signage shall be in compliance with ANSI Z535 and shall include the type of technology associated with the BESS, any special hazards associated, the type of suppression system installed in the area of BESS, and 24-hour emergency contact information, including reach-back phone number.
 2. As required by the state electrical code, disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
 3. Signage compliant with ANSI Z535 shall be provided on doors to rooms, entrances to BESS facilities, and on BESS outdoor containers.
- D. Lighting. Lighting of the BESS shall be limited to that minimally required for safety, security and operational purposes, shall be shielded from abutting properties, shall be directed downward, shall incorporate full cut-off fixtures to reduce light pollution and shall otherwise be consistent with local, state and federal law. A photometric plan shall be required.
- E. Vegetation and tree cutting. Areas within ten feet on each side of Tier 2 and Tier 3 BESS shall be cleared of combustible vegetation and other combustible growth. Single specimens of trees, shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers shall be permitted provided that they do not form a means of readily transmitting fire. Removal of trees should be minimized to the extent possible. No tree or vegetation clearing shall be permitted within the Setbacks as noted below except for the purposes of the area of ingress and egress to the site. Vegetation control in the Water Supply Protection Overlay District (WSPOD) shall be by mowing or other mechanical means. The use of synthetic pesticides, herbicides, and fertilizers shall be prohibited for BESS facilities within the WSPOD.
- F. Setbacks. Tier 2 and Tier 3 BESS shall be set back a minimum of 50 yards from all side, rear, and front lot lines; except that Tier 2 and Tier 3 BESS shall be set back a minimum of 100 yards from side, rear, and front lot lines that abut or are across a street from residential zoning districts or existing single, two-family, or multi-family structures. The minimum setback areas shall include a Buffer Area at least fifty feet wide along all property lines. Access drives and parking are allowed in the setback areas, except emergency access as noted below, but shall not intrude into the required setback areas except where necessary to provide access or egress to the property. In addition, a minimum of 50 feet must be maintained between BESS components and all buildings, stored combustible materials, hazardous materials, high-piled storage, personnel means of egress, and other exposure hazards not associated with electrical grid infrastructure.
- G. Emergency Access: There shall be a 60-foot-wide paved emergency access road around the

complete perimeter of the facility but inside the required setback area which may not exceed a 7% grade at any time. Ongoing maintenance of the access road including snow removal after 3 inches of snow shall be included as part of the Operations and Maintenance Plan required herein.

- H. Lot Size. The minimum lot size for Tier 1 BESS shall not be less than 1 acre. The minimum lot size for a Tier 2 BESS shall be not less than 10 acres and the minimum lot size for a Tier 3 BESS shall be no less than 20.
- I. Dimensional. All BESS shall comply with the dimensional limitations for principal structures of the underlying zoning district as provided in Appendix B, Table 2, of this Zoning Ordinance, unless otherwise provided in this ordinance. No BESS shall exceed 15 feet in height and there shall be no vertical stacking of BESS units.
- J. Fencing Requirements. Tier 2 and Tier 3 BESS, including all mechanical equipment, shall be enclosed by a minimum eight-foot high fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated-use building. All gates shall accommodate a knock box or other accessible means to allow access to public safety personnel. Security barriers, fences, landscaping, and other enclosures must not inhibit required air flow to or exhaust from the BESS and components. Electrical equipment greater than 1,000V require a separate and additional means to restrict access. NFPA 855 requires specialty safety systems to be provided based on the BESS chemistry and installed location.
- K. Screening and Visibility. Tier 2 and Tier 3 BESS shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area. Such features may not inhibit required air flow to or exhaust from the BESS and components and must comply with the setbacks established in paragraph G above.
- L. Failure Protection. All Tier 2 and Tier 3 BESS shall include an impenetrable layer beneath the surface and no closer than four (4) feet to the closest water table which will cause any discharge to flow into a basin located on site which will then capture and/or treat any runoff as a result of a failed battery or fire or other destruction. The Application shall include details of the proposed catchment system along with a detailed stormwater report and stamped detailed engineering plans from a Massachusetts Registered Professional Engineer depicting the stormwater system. All BESS facilities located within the WSPOD shall have full containment to capture all releases, either intentionally from maintenance or accidental in nature. Release and runoff shall not be allowed.
- M. Batteries. Failed battery cells and modules shall not be stored on the site and shall be removed no later than 30 days after deemed failed by the BESS operator or cell/module manufacturer. The operator shall notify the Haverhill Fire Chief in advance if the type of battery or batteries used onsite is to be changed. All failed battery cells and modules shall not be stored outdoors and must be protected from further damage and potential release of contaminants to the environment.
- N. Storage. No equipment or hazardous materials, in liquid, dry, or gas form, shall be stored onsite of the BESS other than those items in quantities necessary for the proper operation of the facility. Any storage for materials deemed necessary shall be properly labeled, covered and contained to protect from release to the environment.

- O. Acoustical Impacts. No system shall cause an increase in acoustical levels over ambient at the Property line. An acoustical study prepared by a Massachusetts Registered Acoustical Engineer shall be provided.
- P. Water Source. A municipal water source shall be provided including a FDC within 100 feet before the entrance to the Hazard Area on the Property. The Applicant shall present evidence including a hydraulic analysis in accordance to the City standard to support that there is adequate volume and pressure for fire suppression on the Property and not have a detrimental impact on the surrounding neighborhood. The applicant shall be required to make any related offsite improvement to achieve the required standard to alleviate any impact on the adjacent users.
- Q. Decommissioning Plan. The applicant shall submit with its application a decommissioning plan for all BESS to be implemented upon abandonment and/or in conjunction with removal of the facility. The owner or operator of the BESS shall notify the Building Commissioner in writing at least twenty days prior to when a BESS will be decommissioned. Decommissioning of an abandoned or discontinued BESS shall be completed within six months after the facility ceases operation. The decommissioning plan shall include:
1. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all BESS components, structures, equipment, security barriers, and transmission lines from the site;
 2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
 3. The anticipated life of the BESS;
 4. The estimated decommissioning costs and how said estimate was determined, including an allowance for annual cost of living increases or increases due to inflation;
 5. The method of ensuring that funds will be available for decommissioning and restoration;
 6. The method by which the decommissioning cost will be kept current;
 7. The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the BESS, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and
 8. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.
- R. Decommissioning Fund. The owner and/or operator of the energy storage system, shall

continuously maintain a fund or other surety acceptable to the City, in a form approved by the City Council and City Solicitor, for the removal of the BESS, in an amount to be determined by the City, and which includes the City as loss payee, for the period of the life of the facility. All costs of the financial security shall be borne by the Applicant.

- S. Proof of Liability Insurance. The applicant or property owner shall provide evidence of commercial liability insurance in an amount and type generally acceptable in the industry and approved by the Planning Board prior to the issuance of a building permit, and shall continue such insurance in effect until such facility has been decommissioned, removed, and the site restored in accordance with this ordinance.

§ 7.9.6.3 Special Permit Criteria. In addition to the general Special Permit criteria set forth in section 10.4.2 of this Ordinance, an application for Tier 2 or Tier 3 BESS shall meet the following criteria:

- A. The project protects the ground water and surrounding properties from catastrophic failure of one or more of the batteries or cells by implementing appropriate catchment and filtration systems for water run off or run off from the system.

- B. The project appropriately attenuates sound intrusion beyond the property lines onto adjacent properties so that there is no change in ambient sound after construction and during operations of the system.

- C. The project includes only dark sky compliant down lighting which does not intrude beyond the property lines onto adjacent properties.

- D. The project is secure and addresses possible trespass or other intrusion by individuals not affiliated with the project.

- E. The project meets the public safety needs of the City.

- F. The project minimizes visual impacts from utility infrastructure for interconnection.

- F. The project is minimally visible from adjacent properties.

§ 7.9.7. Site Plan application.

For all BESS the Site Plan application shall include the following information, in addition to that required by Section 10.8 of this Zoning Ordinance and the applicable Planning Board requirements governing Site Plan Applications:

- A. Utility Infrastructure information requirements:

1. A one- or three-line electrical diagram detailing the BESS layout, associated components, and electrical interconnection methods, with all State Electrical Code compliant disconnects and over current devices.
2. The Applicant shall provide a copy of the fully executed Interconnection Services Agreement (“ISA”) with the local utility distribution company.
3. If the ISA has not been issued, the Applicant shall be required to provide a full copy of the Application for Interconnection filed with the local utility distribution

company.

- B. Preliminary equipment specification sheets that document the proposed BESS components, inverters and associated electrical equipment that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
- C. Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the BESS. Such information of the final system installer shall be submitted prior to the issuance of building permit.
- D. Large-scale fire test data, evaluation information, and calculations, and modeling data. For any of the following, UL 9540A fire test data must be made available to the Planning Board for review:
 - BESS systems with a capacity of greater than 50 kW
 - BESS systems with spacing between arrays of less than 3 feet
- E. Commissioning Plan. The system installer or commissioning agent shall prepare a commissioning plan prior to the start of commissioning. Such plan shall be compliant with NFPA 855 and document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in applicable state codes. Where commissioning is required by the Building Code, BESS commissioning shall be conducted by a Massachusetts Licensed Professional Engineer after the installation is complete but prior to final inspection and approval. A corrective action plan shall be developed for any open or continuing issues that are allowed to be continued after commissioning. A report describing the results of the system commissioning and including the results of the initial acceptance testing required by applicable state codes shall be provided to Zoning Enforcement Officer prior to final inspection and approval and maintained at an approved on-site location.
- F. Fire Safety Compliance Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with state codes, including documentation that BESS components comply with the safety standards set forth in subsection 7.9.9. Such plan shall also include a detailed training plan for public safety personnel.
- G. Operation and Maintenance Manual. Such plan shall describe continuing BESS maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information and shall meet all requirements set forth state codes and NFPA 855. Maintenance provisions will be driven by manufacturer requirements for the specific listed system. It shall address maintenance of the access and perimeter roadways, perimeter fencing, and shall include a snow removal plan and 24 hours access requirements by public safety officials. There shall be an annual; acoustical review to assure ongoing compliance with the requirement of no change from ambient at the property line and fire department inspection.
- H. Depending on the location of the BESS in relation to and its interaction with the electrical grid, interconnection will be completed per 527 CMR 12.00. System interconnections into utility grids shall be in accordance with NFPA 855 and the local distribution company standards for interconnection of distributed energy resources. An accessible disconnect is

required per 527 CMR 12.00.

- I. Prior to the issuance of the building permit, As Built engineering documents must be signed and sealed by a Massachusetts Licensed Professional Engineer and provided to the Building Commissioner and Planning Department .
- J. Emergency Operations Plan. An Emergency Operations Plan compliant with NFPA 855 is required. A copy of the approved Emergency Operations Plan shall be given to the system operator, the local fire department, local fire code official and police department. For so long as the BESS is operational, the operator shall provide the Fire Department, Police Department, Building Commissioner, and Mayor's office with contact information for personnel that can be reached 24 hours per day every day, and this contact information shall be updated by the operator whenever there is a change in the information. The operator shall also be required to have an official representative be present onsite not later than two hours after notification by the Fire Chief, Police Chief, or their designee. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, fire code officials, and emergency responders. The emergency operations plan shall include the following information:
 1. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
 2. Procedures for inspection and testing of associated alarms, interlocks, and controls, including time intervals for inspection and testing.
 3. Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
 4. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
 5. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.
 6. Procedures for safe disposal of BESS equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged BESS equipment from the facility.
 7. Other procedures as determined necessary by the City to provide for the safety of occupants, neighboring properties, and emergency responders.

8. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.
- K. Each Application shall be accompanied by the following information:
1. A certified plot plan at a minimum scale of one inch equals 40 feet and a maximum scale of one inch equals 20 feet. The site plan shall contain:
 - a. Date of site plan with all revisions noted and dated. Title of development, North arrow, scale, map and lot number, name and address of record owner, name and address of person preparing the site plan.
 - b. The names of all owners of record of adjacent properties, and the map and lot number of the properties and all buildings.
 - c. Zoning district boundaries and flood zone boundaries shall be shown as they affect the property including limits of the WSPOD and public water supply Zone A and Zone I on the overall site plan.
 - d. Boundaries of the property and lines of existing street, lots, easements and areas dedicated to public use, including rights of way.
 - e. A locus map showing the location of the property with reference to surrounding area.
 - f. A table indicating all calculations necessary to determine conformance to Bylaw regulations including current required and proposed regulations.
 - g. Square footage of property to the nearest 10 square feet.
 2. All plans must include the location of existing and proposed buildings, walls, fences, culverts, parking areas, loading areas, walkways and driveways.
 - a. Location and dimensions of utilities, gas, telephone, electrical, communications, water drainage, sewer and other waste disposal.
 - b. Location, type and dimensions of landscaping and screening.
 - c. Location of existing rock outcroppings, high points, vistas, ponds, depressions, wetlands, major trees (twelve-inch caliper and over) and any other significant existing features.
 - d. Two-foot contours where slopes are less than 15% and five-foot contours when 15% or more. Existing contours shall be indicated by dashed line. Proposed contours shall be indicated by solid line.
 - e. Dimensioned schematic drawings of all proposed buildings. Scale shall not exceed $\frac{1}{4}$ inch equals one foot nor less than $\frac{1}{8}$ inch equals one foot.
 - f. A narrative describing the proposal and addressing the foregoing requirements.
 - g. Location of street numbers indicated on the schematic drawings and/or site plan.

- h. Surface and water pollution. A report on the impact of Stormwater runoff on adjacent and downstream surface water bodies, subsurface groundwater and the water table.
- i. Soils. The potential dangers of erosion and sedimentation caused by the operation and maintenance of the proposed development.
- j. General environmental impact. A report on the relationship of the proposed development of the major botanical, zoological, geological and hydrological resources of the site, and compatibility of the proposed development with adjacent or surrounding land uses and neighborhoods.
- k. Traffic impact. A report on existing street capacities, estimated average daily traffic generation, composition, peak hour levels and directional flows resulting from the proposed development, proposed methods to mitigate the estimated traffic impact and methodology and sources used to derive existing data and estimations.
- l. Renderings showing the proposed project in relationship to its surroundings.

§ 7.9.8. Ownership Changes.

If the owner of the BESS changes or the owner of the property changes, the Special Permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the Special Permit, Site Plan approval, and decommissioning plan. A new owner or operator of the BESS shall notify the Building Commissioner of such change in ownership or operator within 14 days of the ownership change. A new owner or operator must provide such notification to the Building Commissioner in writing.

§ 7.9.9. Safety

System Certification. BESS and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for BESS and Equipment) or approved equivalent, with subcomponents meeting each of the following standards as applicable:

- A. UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications),
- B. UL 1642 (Standard for Lithium Batteries),
- C. UL 1741 or UL 62109 (Inverters and Power Converters),
- D. Certified under the applicable electrical, building, and fire prevention codes as required.
- E. Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 (or approved equivalent) and applicable codes, regulations and safety standards may be used to meet system certification requirements.

Site Access. BESS shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including snow removal at a level acceptable to the local

fire department.

BESS, components, and associated ancillary equipment shall have required working space clearances, and electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with NFPA 70.

§ 7.9.11. Abandonment

The BESS shall be considered abandoned when it ceases to operate consistently for more than one year. If the owner and/or operator fails to comply with decommissioning upon any abandonment, the City may, after compliance with any applicable state and federal constitutional requirements, enter the property and utilize the available bond and/or security for the removal of any BESS and restoration of the site in accordance with the decommissioning plan.

And further add the following new definition to § 11.1 of Chapter 255

§ 11.1

BATTERY ENERGY STORAGE SYSTEM (“BESS”) -- An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected. For the purposes of this bylaw, BESS are comprised of three (3) types as further described in § 7.9.3.B. of this bylaw; Tier 1 BESS, Tier 2 BESS and Tier 3 BESS.

And further to amend section 3.1.3, Table of Use and Parking regulations by allowing Tier 1, Tier 2 and Tier 3 BESS in the districts as follows:

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
I. MISCELLANEOUS COMMERCIAL USES (cont'd)															
22. Kennel or veterinary hospital in which all animals, fowl or other forms of life are completely enclosed in pens or other structures	BA	BA	N	N	N	N	N	BA	N	N	N	N	N	N	D
23. Commercial communications and/or television tower, provided that it shall be at least 500 feet from any R District	BA	N	N	N	N	N	N	BA	BA	BA	N	BA	BA	BA	None
24. Battery Energy Storage Systems: Tier 1	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>None</u>										
25. Battery Energy Storage Systems: Tier 2	<u>N</u>	<u>CC</u>	<u>None</u>												

26. Battery Energy Storage Systems: Tier	N	CC	None												
3															

10.2

Kaitlin Wright

From: Lisa Mead <lisa@mtclawyers.com>
Sent: Thursday, February 19, 2026 12:20 PM
To: Kaitlin Wright; Jacki Byerley; Tim Jordan
Cc: Mayor; Lori Robertson; Christine Lindberg; Natalia Hernandez
Subject: RE: BESS Zoning Hearing

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

Katlin,

Can you continue it until Mid-March. I am hopeful to have a new ordinance for you in the next week, which will be filed and that will be withdrawn. Thank you

Lisa

Lisa L. Mead

[she/her/hers]



Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

FEB 19 PM 3:52
HAVCITYCLERK

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If you have received the above transmittal in error, please delete the message and any attachment(s) hereto from your e-mail system and notify us immediately. *Please consider the environment before printing this email.* 

 Think before you print.

From: Kaitlin Wright <kwright@haverhillma.gov>

Sent: Thursday, February 19, 2026 11:17 AM



MELINDA E. BARRETT
MAYOR

**CITY OF HAVERHILL
MASSACHUSETTS**

11. / . /
MAR 13 AM 9:24
MAYOR/CLERK

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.HAVERHILLMA.GOV

March 13, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

RE: Board of Registrars of Voters Appointment – Joseph LeBlanc

Dear Mr. President and Members of the Haverhill City Council:

Please be advised I hereby appoint Joseph LeBlanc, 18 Hawthorne Street Haverhill, as a member of the Board of Registrars of Voters. This is a confirming appointment which takes effect immediately and expires on May 1, 2027.

Sincerely,

Melinda E. Barrett
Mayor

Cc: Kaitlin Wright, Haverhill City Clerk

MEB/em

Joseph T. LeBlanc

18 Hawthorne Street
Haverhill, MA 01835
Phone (978) 376-6741

To whom it may concern:

I am applying to serve in a volunteer position as a member of the Haverhill Board of Registrars. I understand that this position has the following responsibilities:

- Meet as a Board to process absentee ballots from Specially Qualified voters from outside the United States after State Elections.
- Attend and participate in an Election Recount Session - if one is called.
- Participate individually, as needed, in Special Voter Registration sessions 10 days prior to elections.

I have a lifelong interest in politics and elections. It would be an honor to serve in this position. If you have any questions about my application, do not hesitate to contact me. I appreciate your consideration.

Best,

Joe LeBlanc

Joseph T. LeBlanc

18 Hawthorne Street
Haverhill, MA 01835
Phone (978) 376-6741

OBJECTIVE: To serve as a member of Haverhill's Board of Registrars

QUALIFICATIONS

I have taught English and Journalism at Northern Essex Community College since 1986.

I have advised high school and college newspapers which have won national awards, including the Gold Crown and National PaceMaker.

I have presented at national scholastic journalism workshops and have taught as an adjunct at the Columbia University Summer Journalism Program.

I have taught Irish Literature at summer school in Galway, Ireland.

I have attended the Yeats International School in Sligo, Ireland

I have served as two terms as Vice President and five terms as President of the Massachusetts Community College Council, a statewide union of full- and part-time faculty and professional staff.

I have served as Chair of the MTA's Higher Education Leadership Council comprised of all public higher education local presidents and MTA and NEA board members.

I have served as a member of the Chancellor Search Committee.

I have served on several higher education advisory committees for Gov. Deval Patrick.

I have served as chair of NEASC Steering Committees at my college.

EDUCATION

1982 Master of Arts in Teaching English, Boston College

1978 A. B. degree in English, College of the Holy Cross

EMPLOYMENT

1986-2018: *Professor of English and Journalism, Northern Essex Community College, Haverhill, MA*

1980-1986: *Teacher of English and Journalism, Whittier Voc. Tech High School, Haverhill, MA*

REFERENCES

Available upon request

11.2.1



MELINDA E. BARRETT
MAYOR

CITY OF HAVERHILL
MASSACHUSETTS

2025
CITY CLERK

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.HAVERHILLMA.GOV

March 12, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Melinda E. Barrett

RE: License Commission Reappointment – Patrick Driscoll

Dear Mr. President and Members of the Haverhill City Council:

Please be advised that I hereby reappoint Patrick Driscoll, 55 North Broadway, Haverhill, to the Haverhill License Commission. This is a non-confirming appointment which takes effect immediately and expires on March 31,2029.

Sincerely,

Melinda E. Barrett
Mayor

MEB/em

Cc: City Clerk Kaitlin Wright



12.6.1.1

Record No: FIXD-26-2

Fixed Location Street Vendor Permit

Status: Active

Submitted On: 2/10/2026

Primary Location

10 CHURCH ST
Bradford, MA 01835

Owner

FIRST CHURCH OF CHRIST
CHURCH ST 10 BRADFORD,
MA 01835

Applicant

Kenneth Zibolis
 603-205-2515
 kenz1951@gmail.com
 12 pigeon ln
Fremont , Nh 03044

MAR 12 AM 10:06
HVCITYCLERK

Vendor Information

Vendor Date of Birth*

07/08/1951

Vendor Social Security Number*

***-**-7532

Vendor Primary Phone*

6032052515

Vendor Secondary Phone

Duration of Business*

1 Year

Number of Employees*

1

Merchandise to be Sold*

Hotdogs sausages burgers fries tenders steak & cheese

Location Information

Days to be Open*

Over 30 Days

Start Date* ?

03/11/2026

Hours of Operation*

10am-5pm

Select Location* 

Bradford Common

Proposed Alternate Location*

Bradford Common

License Type*

New - Fixed Location

Do You Require Electrical Power?*

No

Do You Serve Food?*

Yes



City Clerk Review

Record No. FIXD-26-2

Status Completed

Became Active February 15, 2026

Type Approval

Due Date None

Assignee Kaitlin Wright

Record No: FIXD-26-2

Fixed Location Street Vendor Permit

Status: Active

Submitted On: 2/10/2026

Applicant



Kenneth Zibolis



603-205-2515



kenz1951@gmail.com



12 pigeon ln

Fremont , Nh 03044

Messages

Kaitlin Wright

February 18, 2026 at 10:47 am

Ken, there is already an application from another applicant for Winnikenni. Please pick another location. I see you have chosen Riverside Park as another option – keep in mind there is another vendor nearby at Nettleton Ave serving hotdogs already.

Kaitlin Wright

February 26, 2026 at 12:24 pm

Hi Ken, following up – there is already an application from another applicant for Winnikenni. Please pick another location. I see you have chosen Riverside Park as another option – keep in mind there is another vendor nearby at Nettleton Ave serving hotdogs already.

Kaitlin Wright

February 26, 2026 at 12:55 pm

Spoke with Ken in office. He is requesting to petition the City Council to use the American Legion as a fixed location (1314 Main St).

Kenneth Zibolis

March 2, 2026 at 12:39 pm

Hi Kaitlin it's Ken Zibolis do you have any idea when my application will go to city council

Kaitlin Wright

March 2, 2026 at 12:58 pm

Not at this time. I am waiting for several departments to sign off and have to speak to the solicitor further on the request to use the American Legion.

Kaitlin Wright

March 10, 2026 at 11:19 am

Applicant has requested to change location request to Bradford Common.



Recreation Review and Approval

Record No.FIXD-26-2

Status Completed

Became Active February 26, 2026

Type Approval

Due Date None

Assignee Ben Delaware

Record No: FIXD-26-2

Fixed Location Street Vendor Permit

Status: Active

Submitted On: 2/10/2026

Applicant

 Kenneth Zibolis

 603-205-2515

 kenz1951@gmail.com

 12 pigeon ln

Fremont , Nh 03044

Messages

Kaitlin Wright

March 10, 2026 at 11:18 am

@Ben Delaware, applicant has requested change of requested location to Bradford Common now. Please re-review and let me know if there are any updates from the Rec Dept.

Ben Delaware  Internal

March 10, 2026 at 11:22 am

No changes on my end

Kaitlin Wright  Internal

March 10, 2026 at 11:41 am

Thank you, Ben!



Health Department Approval

Record No. FIXD-26-2

Status Completed

Became Active February 26, 2026

Type Approval

Due Date None

Assignee Mark Tolman

Record No: FIXD-26-2

Fixed Location Street Vendor Permit

Status: Active

Submitted On: 2/10/2026

Applicant

 Kenneth Zibolis

 603-205-2515

 kenz1951@gmail.com

 12 pigeon ln

Fremont , Nh 03044

Messages

Kaitlin Wright

March 10, 2026 at 11:20 am

@Mark Tolman please review, applicant has requested change of requested location to Bradford Common now. Please review and let me know if there are any updates from the Health Dept.

Mark Tolman

March 10, 2026 at 11:51 am

Ok to permit for the location.

Still must apply and be licensed for a mobile food cart.

Any other questions or comments let me know.

Mark



Police Department Approval

Record No.FIXD-26-2

Status Completed

Became Active February 26, 2026

Type Approval

Due Date None

Assignee Kevin Lynch

Record No: FIXD-26-2

Fixed Location Street Vendor Permit

Status: Active

Submitted On: 2/10/2026

Applicant

 Kenneth Zibolis

 603-205-2515

 kenz1951@gmail.com

 12 pigeon ln

Fremont , Nh 03044

Messages

Kaitlin Wright

March 10, 2026 at 11:17 am

@Kevin Lynch, applicant has requested change of requested location to Bradford Common now. Please re-review and let me know if there are any updates from the PD.

Kevin Lynch  Internal

March 10, 2026 at 2:00 pm

Is there any other vendor at the common?

Kaitlin Wright  Internal

March 10, 2026 at 2:31 pm

No, we only issued one fixed location permit per location.





BOND
(License or Permit - Continuous)

Bond No. 108434017

WE, Kenneth Zibolis d/b/a - Kenny Z's Hotdogs and More as Principal, and Travelers Casualty and Surety Company of America, a corporation duly incorporated under the laws of the State of Connecticut and authorized to do business in the State of MASSACHUSETTS, as Surety, are held and firmly bound unto City of Haverhill, as Obligee, in the penal sum of Five Thousand Dollars (\$5,000.00), for the payment of which we hereby bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents.

WHEREAS, the Principal has obtained or is about to obtain a license or permit for Hot dog cart.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that if the Principal shall faithfully comply with all applicable laws, statutes, ordinances, rules or regulations, pertaining to the license or permit issued, then this obligation shall be null and void; otherwise to remain in full force and effect.

This bond shall become effective on February 10, 2026.

PROVIDED, that regardless of the number of years this bond is in force, the Surety shall not be liable hereunder for a larger amount, in the aggregate, than the penal sum listed above.

PROVIDED FURTHER, that the Surety may terminate its liability hereunder as to future acts of the Principal at any time by giving thirty (30) days written notice of such termination to the Obligee.

SIGNED, SEALED AND DATED this _____.

Kenneth Zibolis d/b/a - Kenny Z's Hotdogs and More

By: _____
Principal

Travelers Casualty and Surety Company of America

By: Russell E Vance
Russell E. Vance Attorney-in-fact



12.6.1.2

Record No: FIXD-26-3

Fixed Location Street Vendor Permit

Status: Active

Submitted On: 2/20/2026

Primary Location

143 EAST BROADWAY
Haverhill, MA 01830

Owner

MCCARTHY KAYCIE MCCARTHY JOSHUA
EAST BROADWAY 143 HAVERHILL, MA
01830

Applicant

 **Kaycie McCarthy**
 903-456-8788
 kaycieh@hotmail.com
 143 E Broadway
Haverhill, MA 01830

Vendor Information

MAR 6 PM 2:14
HAVCITYCLERK

Vendor Date of Birth*

07/23/1985

Vendor Social Security Number*

***-**-5051

Vendor Primary Phone*

9034568788

Vendor Secondary Phone

Duration of Business*

1 Year

Number of Employees*

1

Merchandise to be Sold*

Chips, packaged snacks, bottled beverages, candy

Location Information

Days to be Open*

Over 30 Days

Start Date* 

04/27/2026

Hours of Operation*

11AM - 6PM

Select Location* 

Riverside Park

Proposed Alternate Location*

Baseball field 1

License Type*

Seasonal - Fixed Location

Do You Require Electrical Power?*

No

Do You Serve Food?*

Yes

Attachments

Recreation Review and Approval

Record No. FIXD-26-3

Status Completed Became Active February 24, 2026

Type Approval Due Date None

Assignee Ben Delaware

Record No: FIXD-26-3

Fixed Location Street Vendor Permit

Status: Active

Submitted On: 2/20/2026

Applicant

 Kaycie McCarthy
 903-456-8788
 kaycieh@hotmail.com
 143 E Broadway
Haverhill, MA 01830

Messages

No comments yet.

Health Department Approval

Record No. FIXD-26-3

Status Completed

Became Active February 24, 2026

Type Approval

Due Date None

Assignee Mark Tolman

Record No: FIXD-26-3

Fixed Location Street Vendor Permit

Status: Active

Submitted On: 2/20/2026

Applicant

 Kaycie McCarthy
 903-456-8788
 kaycieh@hotmail.com
 143 E Broadway
Haverhill, MA 01830

Messages

Mark Tolman

February 24, 2026 at 1:42 pm

Hi Kaycie,

You need to apply for a food permit.

You can stop by this office any day between 8:00 am-9:00 am or 3:00 pm-4:00 pm so I can show you what is needed for processing your food permit.

Mark

Police Department Approval

Record No. FIXD-26-3

Status Completed

Became Active February 24, 2026

Type Approval

Due Date None

Assignee Kevin Lynch

Record No: FIXD-26-3

Fixed Location Street Vendor Permit

Status: Active

Submitted On: 2/20/2026

Applicant



Kaycie McCarthy



903-456-8788



kaycieh@hotmail.com



143 E Broadway
Haverhill, MA 01830

Messages

No comments yet.



Riverside ~ Bradford baseball snack cart

**Right of Way Performance and Completion Blanket Bond
Continuous**

Bond No. 108441380

WE, RIVERSIDE-BRADFORD BASEBALL LEAGUE, INC. as Principal, and Travelers Casualty and Surety Company of America, a corporation duly incorporated under the laws of the State of Connecticut and authorized to do business in the State of MASSACHUSETTS, as Surety, are held and firmly bound unto City of Haverhill, as Obligee, in the penal sum of Five Thousand Dollars (\$5,000.00), for the payment of which we hereby bind ourselves, our heirs, executors and administrators, jointly and severally, firmly by these presents.

WHEREAS, the Principal has received, or may upon application receive, a permit or permits from the Obligee to perform work on, about or adjacent to a right of way as may be particularly specified in said permit or permits, to which permit or permits reference is hereby made and are made part hereof; and

WHEREAS, the Principal agrees to comply with all the rules, regulations and restrictions of the Obligee in regard to said permit or permits.

NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that if Principal shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions and agreements specified in said permit or permits, and shall well and truly save harmless and indemnify the Obligee from all damages and costs that the Obligee may suffer, be liable for, or be compelled to pay for any injuries or damages which may be caused by any action or work being carried on by the Principal under any permit or permits issued by or on behalf of the Obligee, then this obligation shall be void; otherwise to remain in full force and effect.

This bond shall become effective on February 19, 2026.

PROVIDED, that regardless of the number of years this bond is in force, the Surety shall not be liable hereunder for a larger amount, in the aggregate, than the penal sum listed above.

PROVIDED FURTHER, that the Surety may terminate its liability hereunder as to future permits issued to the Principal at any time by giving thirty (30) days written notice of such termination to the Obligee. In no event shall the Surety be liable for any claims received against the bond more than one year after the effective date of cancellation.

SIGNED, SEALED AND DATED this February 20, 2026.

RIVERSIDE-BRADFORD BASEBALL LEAGUE, INC.



Principal

Travelers Casualty and Surety Company of America

By: *Joshua Kayser* Attorney-in-fact



Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company
Farmington Casualty Company

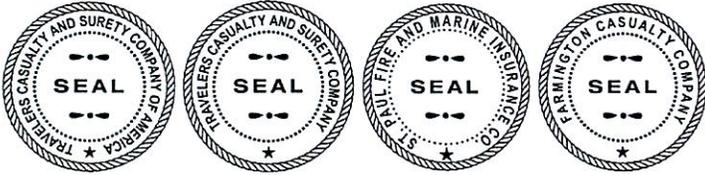
POWER OF ATTORNEY

Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, St. Paul Fire and Marine Insurance Company, and Farmington Casualty Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and the Companies do hereby make, constitute and appoint **Joshua Kayser** of **COLUMBIA, MO** their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge the following bond or undertaking, and any riders thereto:

Surety Bond No.: 108441380

Principal: RIVERSIDE-BRADFORD BASEBALL LEAGUE, INC.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **16th** day of **February, 2024**.



State of Connecticut

City of Hartford ss.

By: 
 Bryce Grissom, Senior Vice President

On this the **16th** day of **February, 2024**, before me personally appeared **Bryce Grissom**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June, 2026**




 Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

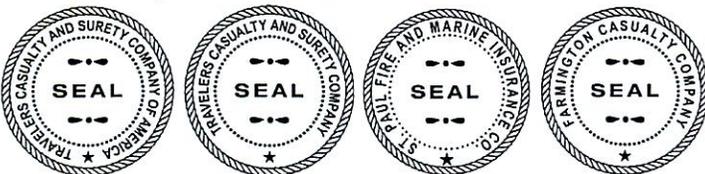
FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

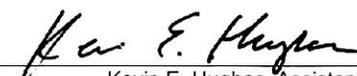
FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, any Treasurer, the Corporate Secretary, any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 20 day of February, 2026.




 Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
 Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.



12.6.6.1

Record No: JUNK-26-1

Junk Dealer/Collector License

Status: Active

Submitted On: 3/4/2026

Primary Location

81 HALE ST
Haverhill, MA 01830

Owner

BOI LLC
HALE ST 81 HAVERHILL, MA
01830

Applicant

Brandon Tetler
603-489-3624
@ brandon@windfieldalloy.com
31 River St
Exeter, NH 03833

Business Information

MAR 12 AM 10:22
HAVCITYCLERK

Applicant's Relationship to Owner*

Attorney/Agent

Business Owner Name*

Eric Tetler

Business Owner Address*

2 Route 111

Business Owner City*

Atkinson

Business Owner State*

NH

Business Owner Zip*

03811

Business Owner Phone*

9784239024

Name of Business*

Windfield Alloy Inc.

Type of Business*

Junk Dealer

Type of Business Structure*

Corporation

Application Information

Type of Application*

Renewal

Attachments

-
-  **Certifications 2026.pdf**
Certifications 2026.pdf
Uploaded by Brandon Tetler on Mar 4, 2026 at 8:23 AM
 -  **5.2.1-P Environmental Health and Safety Policy - 5.0.pdf**
5.2.1-P Environmental Health and Safety Policy - 5.0.pdf
Uploaded by Brandon Tetler on Mar 4, 2026 at 8:23 AM
 -  **6.2.3.1-P Plan for Responsible Management of Electronic Equipment - 3.0.pdf**
6.2.3.1-P Plan for Responsible Management of Electronic Equipment - 3.0.pdf
Uploaded by Brandon Tetler on Mar 4, 2026 at 8:23 AM
 -  **6.1.3.1-P Compliance Obligations Identification Procedure - 1.0.pdf**
6.1.3.1-P Compliance Obligations Identification Procedure - 1.0.pdf
Uploaded by Brandon Tetler on Mar 4, 2026 at 8:23 AM
 -  **8.1.7.3-P Spill Handling Procedure - 2.0.pdf**
8.1.7.3-P Spill Handling Procedure - 2.0.pdf
Uploaded by Brandon Tetler on Mar 4, 2026 at 8:24 AM
 -  **8.1.8-P Health and Safety Manual - 5.0.pdf**
8.1.8-P Health and Safety Manual - 5.0.pdf
Uploaded by Brandon Tetler on Mar 4, 2026 at 8:24 AM
-

Record Activity

- | | |
|---|-----------------------|
| Brandon Tetler started a draft Record | 02/11/2022 at 9:51 am |
| Brandon Tetler added file Certifications 2026.pdf | 03/04/2026 at 8:23 am |
| Brandon Tetler added file 5.2.1-P Environmental Health and Safety Policy - 5.0.pdf | 03/04/2026 at 8:23 am |
| Brandon Tetler added file 6.2.3.1-P Plan for Responsible Management of Electronic Equipment - 3.0.pdf | 03/04/2026 at 8:23 am |
| Brandon Tetler added file 6.1.3.1-P Compliance Obligations Identification Procedure - 1.0.pdf | 03/04/2026 at 8:23 am |
| Brandon Tetler added file 8.1.7.3-P Spill Handling Procedure - 2.0.pdf | 03/04/2026 at 8:24 am |
| Brandon Tetler added file 8.1.8-P Health and Safety Manual - 5.0.pdf | 03/04/2026 at 8:24 am |

Brandon Tetler submitted Record JUNK-26-1	03/04/2026 at 8:24 am
OpenGov system altered payment step Junk Dealer/Collector License Fee Payment, changed status from Inactive to Active on Record JUNK-26-1	03/04/2026 at 8:24 am
OpenGov system completed payment step Junk Dealer/Collector License Fee Payment on Record JUNK-26-1	03/04/2026 at 8:25 am
OpenGov system altered approval step City Clerk Approval, changed status from Inactive to Active on Record JUNK-26-1	03/04/2026 at 8:25 am
OpenGov system assigned approval step City Clerk Approval to Natalia Hernandez on Record JUNK-26-1	03/04/2026 at 8:25 am
Kaitlin Wright approved approval step City Clerk Approval on Record JUNK-26-1	03/10/2026 at 11:26 am
OpenGov system altered approval step Police Approval, changed status from Inactive to Active on Record JUNK-26-1	03/10/2026 at 11:26 am
OpenGov system assigned approval step Police Approval to Kevin Lynch on Record JUNK-26-1	03/10/2026 at 11:26 am
Kevin Lynch approved approval step Police Approval on Record JUNK-26-1	03/10/2026 at 1:58 pm
OpenGov system altered approval step City Council Approval, changed status from Inactive to Active on Record JUNK-26-1	03/10/2026 at 1:58 pm
OpenGov system assigned approval step City Council Approval to Natalia Hernandez on Record JUNK-26-1	03/10/2026 at 1:58 pm

Timeline

Label	Activated	Completed	Assignee	Due Date	Status
 Junk Dealer/Collector License Fee Payment	3/4/2026, 8:24:23 AM	3/4/2026, 8:25:00 AM	Brandon Tetler	-	Completed
 City Clerk Approval	3/4/2026, 8:25:00 AM	3/10/2026, 11:26:35 AM	Natalia Hernandez	-	Completed
 Police Approval	3/10/2026, 11:26:35 AM	3/10/2026, 1:58:50 PM	Kevin Lynch	-	Completed
 City Council Approval	3/10/2026, 1:58:50 PM	-	Natalia Hernandez	-	Active
 Junk Dealer/Collector Permit Issued	-	-	-	-	Inactive



12.6.6.2

Record No:
JUNK-25-3

Renewal

Primary Location

115 HALE ST
Haverhill, MA 01830

Owner

HALEY REALTY TRUST
115 Hale Street
HAVERHILL, MA 01830

Applicant

Michael Marc-Aurele
978-483-7808
michael.marcaurele@chhj.com
47 Ministerial Road
Windham, NH 03087

Junk Dealer/Collector License
Status: Active
Submitted On: 2/10/2026

MAR 12 AM 10:22
HAVCITYCLERK

Business Information

Applicant's Relationship to Owner*

Owner

Business Owner Address*

47 Ministerial Road Windham, NH 03087

Name of Business*

Viking Recycled Materials, Inc.

Type of Business*

Junk Dealer

Type of Business Structure*

Corporation

Application Information

Type of Application*

Renewal

Attachments

Record Activity

Kaitlin Wright started a draft of Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added Type of Application to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added Name of Business to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added Type of Business to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added IF OTHER, Please Specify to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added Applicant's Relationship to Owner to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added Type of Business Structure to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added Business Owner Email to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added Business Owner Phone to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added Business Owner Zip to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added Business Owner State to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added Business Owner City to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added Business Owner Address to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright added Business Owner Name to Record JUNK-25-3	02/10/2026 at 10:23 am
Kaitlin Wright submitted Record JUNK-25-3	02/10/2026 at 10:24 am

OpenGov system altered payment step Junk Dealer/Collector License Fee, changed status from Inactive to Active on Record JUNK-25-3	02/10/2026 at 10:24 am
OpenGov system completed payment step Junk Dealer/Collector License Fee on Record JUNK-25-3	03/01/2026 at 8:32 am
OpenGov system altered approval step City Clerk Approval, changed status from Inactive to Active on Record JUNK-25-3	03/01/2026 at 8:32 am
Kaitlin Wright assigned approval step City Clerk Approval to Natalia Hernandez on Record JUNK-25-3	03/05/2026 at 4:03 pm
Kaitlin Wright approved approval step City Clerk Approval on Record JUNK-25-3	03/10/2026 at 11:27 am
OpenGov system altered approval step Police Approval, changed status from Inactive to Active on Record JUNK-25-3	03/10/2026 at 11:27 am
OpenGov system assigned approval step Police Approval to Kevin Lynch on Record JUNK-25-3	03/10/2026 at 11:27 am
Kevin Lynch approved approval step Police Approval on Record JUNK-25-3	03/10/2026 at 1:58 pm
OpenGov system altered approval step City Council Approval, changed status from Inactive to Active on Record JUNK-25-3	03/10/2026 at 1:58 pm

Timeline

Label	Activated	Completed	Assignee	Due Date	Status
 Junk Dealer/Collector License Fee	2/10/2026, 10:24:04 AM	3/1/2026, 8:32:30 AM	Michael Marc-Aurele	-	Completed
 City Clerk Approval	3/1/2026, 8:32:30 AM	3/10/2026, 11:27:44 AM	Natalia Hernandez	-	Completed
 Police Approval	3/10/2026, 11:27:44 AM	3/10/2026, 1:58:05 PM	Kevin Lynch	-	Completed
 City Council Approval	3/10/2026, 1:58:05 PM	-	-	-	Active

Label	Activated	Completed	Assignee	Due Date	Status
 Junk Dealer/Collector License Issued	-	-	-	-	Inactive

14.1 File 10 days



Haverhill

Lisa DeMeo, City Engineer
Phone: 978-374-2335
ldemeo@haverhillma.gov

MAR 11 AM 9:54
HVCITYCLERK

March 10, 2026

**MEMO TO: CITY COUNCIL PRESIDENT TIMOTHY JORDAN AND
MEMBERS OF THE CITY COUNCIL**

Subject: *Wilson Street #212 – HPS-26-6 - Delete Handicap Parking*

As requested, attached is the subject Ordinance to delete handicap parking.

Please contact me if you have any questions.

Sincerely,

Lisa DeMeo
City Engineer

C: Mayor Barrett, Lt. Lynch, K. Wright, R. Ward



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, §85, Schedule B: Parking Restrictions and Prohibitions, as amended, is hereby further amended by **DELETING** the following:

Wilson Street:	No Parking	24 hours
In front of #212	(except for 1 24-hour handicap parking space)	

APPROVED AS TO LEGALITY

City Solicitor

Deleting Handicap Parking for 212 Wilson St

From Natalia Hernandez <NHernandez@HaverhillMa.gov>

Date Tue 3/10/2026 3:43 PM

To hglegals@hgazette.com <hglegals@hgazette.com>

Cc Kaitlin Wright <kwright@haverhillma.gov>

 [handicap prking 212 Wilson.pdf](#)

Hello,

Please run the following legal ad one time in the Gazette for **Thursday, March 19, 2026**

- Ordinance; Deleting the following : No Parking for 24-hrs (except for 1-24 hour handicap parking) in front of 212 Wilson St (attached)

Any questions, please call 978-420-3621. Thank you!

Sincerely,
Natalia Hernandez



Thank you for placing your order with us.

From North of Boston <noreply@wave2adportal.com>
Date Wed 3/11/2026 12:20 PM
To Natalia Hernandez <NHernandez@HaverhillMa.gov>

📎 1 attachment (17 KB)
W01424800.pdf;

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

Job Details Order Number: W0142480 Business Type: All Other Public Notices Notice Size: Public Notices Notice Estimate: \$69.23 Referral Code: 212 Wilson Parking Ord.	Schedule for notice number W01424800 Thu Mar 19, 2026 Haverhill Gazette Public All Zones Notices <table border="1"><tr><td colspan="3">CITY OF HAVERHILL In Municipal Council</td></tr><tr><td colspan="3">ORDERED:</td></tr><tr><td colspan="3">AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC</td></tr><tr><td colspan="3">BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, §85, Schedule B: Parking Restrictions and Prohibitions, as amended, is hereby further amended by DELETING the following:</td></tr><tr><td>Wilson Street: In front of #212</td><td>No Parking (except for 1 24-hour handicap parking space)</td><td>24 hours</td></tr><tr><td colspan="3">APPROVED AS TO LEGALITY City Solicitor HG - Publication Dates</td></tr></table>	CITY OF HAVERHILL In Municipal Council			ORDERED:			AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC			BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, §85, Schedule B: Parking Restrictions and Prohibitions, as amended, is hereby further amended by DELETING the following:			Wilson Street: In front of #212	No Parking (except for 1 24-hour handicap parking space)	24 hours	APPROVED AS TO LEGALITY City Solicitor HG - Publication Dates		
CITY OF HAVERHILL In Municipal Council																			
ORDERED:																			
AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC																			
BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, §85, Schedule B: Parking Restrictions and Prohibitions, as amended, is hereby further amended by DELETING the following:																			
Wilson Street: In front of #212	No Parking (except for 1 24-hour handicap parking space)	24 hours																	
APPROVED AS TO LEGALITY City Solicitor HG - Publication Dates																			
Account Details Haverhill Clerk 4 SUMMER ST STE 118 HAVERHILL, MA 01830 978-374-2312 cityclerk@cityofhaverhill.com HAVERHILL CITY CLERK																			

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This is an automated message, please do not reply to this e-mail. If you have any questions or concerns you may contact us toll-free at 800-681-6248.

15.1

CITY COUNCIL

- Timthoy J. Jordan**, *President*
- John A. Michitson**, *Vice President*
- Thomas J. Sullivan**
- Colin F. LePage**
- Melissa J. Lewandowski**
- Catherine P. Rogers**
- Shaun P. Toohey**
- Michael S. McGonagle**
- Daniel R. Diodati**
- Devan Ferreira**
- Ralph T. Basiliere**



CITY HALL, ROOM 204
 4 SUMMER STREET
 TELEPHONE: 978-374-2328
 FACSIMILE: 978-374-2329

WWW.CITYOFHAVERHILL.GOV
CITYCOUNCIL@HAVERHILLMA.GOV

CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

MAR 13 AM 8:32
 HAVCITYCLERK

March 13, 2026

To: Members of the City Council

City Council President Jordan, Vice President Michitson and the entire City Council wish to award Ted Gaiero with a Citation for Outstanding Citizenship in Haverhill.

Timothy J. Jordan
 President Timothy J. Jordan 

John A. Michitson
 Vice President John A. Michitson 

(Meeting: 3.17.26)

15.2

CITY COUNCIL

Timthoy J. Jordan, *President*
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CITY OF HAVERHILL

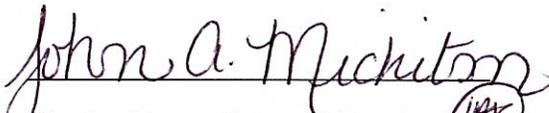
HAVERHILL, MASSACHUSETTS 01830-5843

March 10, 2026

MAR 10 PM 12:00
HAUCITYCLERK

To: President and Members of the City Council

Vice President Michitson submits the summary of minutes and recommendations of the Planning and Development Committee meeting held on March 2, 2026 for acceptance and approval.


Vice President John A. Michitson 

(Meeting: 3.17.26)

CITY COUNCIL

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HAVERHILL, MASSACHUSETTS 01830-5843

MINUTES/SUMMARY OF THE PLANNING AND DEVELOPMENT COMMITTEE MEETING

March 2, 2026

A Planning and Development Committee Meeting was held on Monday, March 2, 2026 at 6:00 PM in the City Council Chambers, Room 202

Committee Members: Committee Chair, John Michitson, Councilor Catherine Rogers and Councilor Daniel Diodati

Councilors Present: President Timothy Jordan, Councilor Devan Ferreira and Councilor Lewandowski

City Officials: Mayor Melinda Barrett, Robert Moore, Conservation Department, Robert Ward, DPW Director

The following items were discussed:

- **Doc. 94-B Motion by Councilor Ferreira to look at updating the standards of Ch. 250 Article VI of the Haverhill Zoning Code regarding water use restrictions established in 2016.**
- **Doc. 1-F Motion by Councilor Lewandowski to send for discussion relative to establishing or formalizing an ordinance regarding water conservation program.**

Councilor Ferreira proposed strengthening the water conservation ordinance by tightening restriction triggers, implementing earlier and clearer color-coded levels, increasing enforcement and fines, requiring irrigation moisture sensors, applying regulations to private wells, reconsidering deduct meter credits, and potentially adopting year-round watering limits. She emphasized that the city's designation as a Green Community and adoption of stretch code standards already require higher efficiency in new construction, often making newer homes more water efficient than older ones, and noted that drought remains a significant contributing factor. Councilor Lewandowski supported enhancing conservation efforts through mandatory summer watering restrictions, stronger ordinance language requiring conservation plans for large or multi-unit developments to support neutral growth objectives, identifying high-volume users for targeted reductions, reviewing water impacts during renovations or changes of use, and possibly establishing a dedicated water commission. She also highlighted the need for clearer public education and outreach.

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CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

President Jordan expressed support for forming an advisory committee that could include expert volunteers while leaving final decisions to the City Council. Councilor Diodati inquired about the frequency of water audits and how homeowners are notified of leaks it was noted by Robert Ward they are conducted every three years, that letters are typically sent and most residents respond promptly. Councilor Diodati suggested sharing comparative usage data with residents and encouraging drought-tolerant landscaping in new developments. Councilor Rogers had concerns about not having the full proposal in writing, stating that it was unclear exactly what would be voted on.

Christine Kwitchoff (14 Colby's Lane) suggested replacing large lawns with pollinator-friendly plantings, citing Cedardale as an example of a company that could benefit from that. Demi Costarides (14 Mendum Road) stated she has lived near Crystal Lake her whole life and has seen the lake dry up many times, expressing concern that increased development, particularly new condominiums, is placing additional strain on the water supply despite drought conditions. Al Ferreira (39 Smith Street) asked about current water levels, typical daily water consumption for households of two to six people, how residents can track their usage, and whether home monitoring solutions are available. David Monson (26 John Street) questioned characterizing the situation as a drought, citing regional rainfall data from Blue Hill showing above-average precipitation in five of the past seven years and arguing that water scarcity is driven more by consumption than natural conditions.

Robert Ward reported that daily water use has remained relatively stable at approximately 5 to 5.5 million gallons per day since 2000, with efficiency improvements in older homes offsetting the impact of new development. Average residential use is about 52 gallons per person per day, or roughly 130–150 gallons per household and has slightly declined in recent years. Current reservoir levels were shared, and officials noted minimal snowmelt contribution this season. Robert Moore reported no significant impacts from beaver dams, though gradually declining water levels have affected some mussels and shellfish while helping control invasive Chinese mystery snails. A new well was identified as necessary to maintain sustainable lake levels for residents and wildlife. Chair Michitson requested a more detailed analysis of the causes of current water conditions, particularly the impact of development versus drought, and suggested inviting state representatives to a future meeting given pending related legislation. The committee agreed to compile questions and responses for further review and to continue the discussion at a subsequent meeting.

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CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

Proposed ordinance/policy changes to consider

- Tighten drought restriction triggers.
- Implement earlier, clearer, color-coded restriction levels.
- Increase enforcement measures and fines.
- Require irrigation moisture sensors.
- Apply watering restrictions to private wells.
- Reconsider or modify deduct meter credit policies.
- Consider year-round outdoor watering limits.
- Adopt mandatory summer watering restrictions.
- Strengthen ordinance language overall.
- Require conservation plans for large or multi-unit developments.
- Require conservation plans for currently exempt properties.
- Review water impacts during renovations or changes of use.
- Identify and target high-volume users for demand reduction.
- Consider establishing a dedicated water commission or advisory committee.
- Improve and expand public education and outreach efforts.
- Share comparative water usage data with residents.
- Promote drought-tolerant landscaping in new developments.
- Consider citywide mailing comparing residential growth to water usage trends.
- Conduct deeper analysis of development impacts on water supply.
- Invite state representatives to align with pending state legislation to next P&D meeting

Committee Member Rogers motioned to adjourn. Second by Committee Member Diodati.

YEAS 3, NAYS 0

ADJOURNED: 19:19

Respectfully submitted:

John A. Michitson

John A. Michitson

Chair Planning and Development Committee

16.1 § 16.1.1

Document # 1-Q

Mayor Barrett submits the following Ordinances:

Ordinance: amend Chapter 216 –

Snow and Ice Removal, to further authorize enforcement

IN CITY COUNCIL: March 3, 2026

File 10 Days

Attest: Kaitlin M. Wright
Kaitlin M. Wright, CMC
City Clerk

5.4

File 10 days

MELINDA E. BARRETT
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.HAVERHILLMA.GOV

February 27, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

Re: Ordinance Relating to Amendment to Chapter 216 of the Haverhill City Ordinances and Ordinance Relating to Amendment to Article 1, Chapter 1 – General Provisions of the Haverhill City Ordinances

Dear Mr. President and Members of the City Council:

I respectfully submit the following Ordinances:

1. Ordinance to amend Ch. 216 – Snow and Ice Removal to further authorize enforcement; and
2. Ordinance to amend Sections 1-16 of Article 1, Chapter 1 – General Provisions to increase the fines for violations of Chapter 216.

I recommend approval

Very truly yours,

Melinda E. Barrett
Mayor



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950

978.463.7700
www.mtclawyers.com

February 6, 2026

By Electronic Delivery

Timothy J. Jordan
City Council President
Haverhill City Council
4 Summer Street,
Room 204
Haverhill, MA 01830

Re: Amendment to Article I, Chapter 1, § 1-16 of the City Ordinances and Chapter 216 of the City Ordinances.

Dear Mr. Jordan

Reference is made to the above captioned matter. In that connection, you have requested that we draft an ordinance amendment to Article I, Ch. 1, § 1-16 of the City of Haverhill City Ordinances and Chapter 216 of the Haverhill City Ordinances to reflect the following changes:

1. To amend the noncriminal disposition table to reflect violations of Chapter 216 to be penalized by \$100 fine for first offense, \$200 fine for second offense and \$300 fine for third offense.
2. To amend Chapter 216 of the Ordinances to further authorize enforcement by the Police Chief's designee, the Building Commissioner or the Assistant Building Commissioner.

The current disposition table in Chapter 1 does not include violations of Chapter 216, and Chapter 216 does not include any language regarding noncriminal disposition penalties. Further the present language in Chapter 216 does not provide for any penalty for violations of §§ 216-4 and 216-5. The amendments will give specific authority for enforcement to the Police Department and the Building Commissioner and authorize noncriminal disposition for any violation of Chapter 216 at the above referenced amounts.

Attached to this correspondence for your review is a blackline version of proposed changes, as well as a clean copy.

Sincerely,

/s/ Lisa L. Mead

Atty. Lisa Mead, City Solicitor

Enclosure(s)

cc: Melinda E. Barrett, Mayor

New Bedford Office
227 Union Street
New Bedford, MA 02740
Phone 774.206.6857

Millis Office
730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950

978.463.7700
www.mtclawyers.com

February 6, 2026

Melinda Barrett, Mayor
City of Haverhill
4 Summer Street,
Room 204
Haverhill, MA 01830

Re: Amendment to Article I, Chapter 1, § 1-16 of the City Ordinances and Chapter 216 of the City Ordinances.

Dear Mayor Barrett:

Reference is made to the above captioned matter. In that connection, you have requested that we draft an ordinance amendment to Article I, Ch. 1, § 1-16 of the City of Haverhill City Ordinances and Chapter 216 of the Haverhill City Ordinances to reflect the following changes:

1. To amend the noncriminal disposition table to reflect violations of Chapter 216 to be penalized by \$100 fine for first offense, \$200 fine for second offense and \$300 fine for third offense.
2. To amend Chapter 216 of the Ordinances to further authorize enforcement by the Police Chief's designee, the Building Commissioner or the Assistant Building Commissioner.

The current disposition table in Chapter 1 does not include violations of Chapter 216, and Chapter 216 does not include any language regarding noncriminal disposition penalties. Further the present language in Chapter 216 does not provide for any penalty for violations of §§ 216-4 and 216-5. The amendments will give specific authority for enforcement to the Police Department and the Building Commissioner and authorize noncriminal disposition for any violation of Chapter 216 at the above referenced amounts.

Attached to this correspondence for your review is a blackline version of proposed changes, as well as a clean copy.

Sincerely,

/s/ Lisa L. Mead

Atty. Lisa Mead, City Solicitor

Enclosure(s)

cc: City Council

New Bedford Office
227 Union Street
New Bedford, MA 02740
Phone 774.206.6857

Millis Office
730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

5.4.1



Document
CITY OF HAVERHILL
In Municipal Council

FEB 27 AM 9:36
HAVERHILL CLERK

Ordered:

MUNICIPAL ORDINANCE

CHAPTER 216

AN ORDINANCE RELATING TO AMENDMENT TO CHAPTER 216 OF THE
HAVERHILL CITY ORDINANCES

BE IT ORDAINED by the City Council of the City of Haverhill Chapter 216 – SNOW AND ICE REMOVAL, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows:

§ 216-3. Notice to remove; time limit.

Whenever any sidewalk or footway shall be encumbered with snow or ice contrary to the provisions of the two preceding sections, it shall be the duty of the Chief of Police, the Police Chief's designee, the Building Commissioner or the Assistant Building Commissioner to notify or cause to be notified the person responsible therefor, and, if the provisions of the aforesaid preceding sections are not complied with within three hours from the time of service of the above notice, the Chief of Police shall forthwith prosecute the person who has violated the provisions of this or of the two preceding sections. Said encumbered sidewalk or footway shall be cleared and/or made safe for convenient travel within six (6) hours of notification.

§ 216-6. Enforcement; penalties.

A violation of any provision of this Chapter may be prosecuted by complaint brought before the District Court or penalized by a noncriminal disposition as provided in M.G.L. c. 40, § 21D and shall be enforced by the Police Chief, the Police Chief's Designee, the Building Commissioner or the Assistant Building Commissioner pursuant to the procedure outlined in Chapter 1, § 1-16 of these Ordinances.



Document
CITY OF HAVERHILL
In Municipal Council

Ordered:

MUNICIPAL ORDINANCE

CHAPTER 1

**AN ORDINANCE RELATING TO AMENDMENT TO ARTICLE I, CHAPTER 1 OF THE
HAVERHILL CITY ORDINANCES**

BE IT ORDAINED by the City Council of the City of Haverhill §1-16 of Article I, Chapter 1 – **GENERAL PROVISIONS**, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows:

§ 1-16 General penalty; specific penalties; noncriminal disposition; enforcement.

Source	Subject/Enforcing Agency	Penalty
<u>§ 11-28</u>	Violation of any rule or regulation of the Conservation Commission (Conservation Agents, Conservation Officers)	
	First offense	\$100
	Second offense	\$200
	Third offense	\$300
<u>§ 11-33</u>	Violation of any rule or regulation of the Board of Health (Health Agents, Health Inspectors, Conservation Officers)	
	First offense	\$25
	Second offense	\$50
	Third offense	\$100
<u>§ 11-39</u>	Dumping rubbish, etc. (Health Agents, Health Inspectors, Conservation Officers) Biodegradable material; brush, trees and leaves	
	First offense	\$100
	Second offense	\$200
	Third offense	\$300
	Household or domestic material	\$200

Source	Subject/Enforcing Agency	Penalty
	Construction or building material	\$300
	Board of Health Regulations (Health Agents, Health Inspectors)	
	Renting without permit	\$200
	Installation of well without permit	\$150
	Abrasive blasting	\$150
	Violation of garbage, refuse and dumpster rules and regulations	
	First offense	\$50
	Second offense	\$100
	Third offense	\$300
§ <u>100-1</u>	Consumption of or possession of an open alcoholic beverage in a park or playground	\$50
	(Conservation Officers)	
§ <u>116-1</u>	Boating on certain bodies of water (Conservation Officers, Harbormaster)	
	First offense	\$50
	Second offense	\$100
	Third offense	\$300
§ <u>116-2</u>	Occupying a boat without a life preserver (Conservation Officers, Harbormaster)	
	First offense	\$50
	Second offense	\$100
	Third offense	\$300
§ <u>116-3</u>	Paddleboarding on certain bodies of water (Conservation Officers, Harbormaster)	
	First offense	\$50
	Second offense	\$100
	Third offense	\$300
§ <u>116-4</u>	Placement of seasonal docks and moorings (Conservation Officers, Harbormaster)	
	First offense	\$50
	Second offense	\$100
	Third offense	\$300
§ <u>116-6</u>	Shacks or structures on bodies of water (Conservation Officers, Harbormaster)	
	First offense	\$50
	Second offense	\$100
	Third offense	\$300

Source	Subject/Enforcing Agency	Penalty
§ <u>116-7</u>	Fishing, Hunting, and Trapping (Conservation Officers)	
	First offense	\$50
	Second offense	\$100
§ <u>116-8</u>	Third offense	\$300
	Motors on bodies of water (Conservation Officers, Harbormaster)	
	First offense	\$50
§ <u>120-13</u> and <u>120-14</u>	Second offense	\$100
	Third offense	\$300
	Abandoned or fire-damaged buildings; and removal of signs of \$100 discontinued businesses (Building Inspector)	
§ <u>145-17</u>	Discharging firearms within public park (Conservation Officers)	\$300
§ <u>173-5C</u>	Separation of paper for collection (Health Agents, Health Inspectors)	\$25
	First offense	Written warning
	Second offense	\$25
§ <u>173-6</u>	Littering (Conservation Officers)	\$50
Chapter <u>182</u> , Noise §§ <u>182-6</u> , <u>182-7</u> and <u>182-12</u> (see also §§ <u>182-14</u> and <u>182-15</u>)	Construction hours, construction noise, excessive noise by rail carriers (Health Agents and Health Inspectors and Building Inspector)	
	1st offense	\$50
	2nd offense	\$100
	3rd and subsequent offenses	\$300
§ <u>182-13</u> (see also §§ <u>182-14</u> and <u>182-15</u>)	Excessive noise by animals (Health Agents and Health Inspectors, Building Inspector and Animal Control Officer)	
	1st offense	\$50
	2nd offense	\$100
	3rd and subsequent offenses	\$300
§ <u>189-2</u>	Defacing public property (Conservation Officers)	\$100
§ <u>193-8</u>	Swimming, bathing or wading in public water supply (Conservation Officers)	\$50
§ <u>193-9</u>	Domestic animals on public water supply (Conservation Officers, Animal Control Officer)	\$50
§ <u>193-12</u>	Being on ice of certain bodies of water (Conservation Officers, Harbormaster)	\$50
§§ <u>193-14</u> through <u>193-25</u>	(Conservation Officers)	

Source	Subject/Enforcing Agency	Penalty
	1st offense	\$50
	2nd offense	\$100
	3rd offense	\$300
	Plus restitution for damages	
§§ 216-1 through 216-5	<u>Snow and Ice Removal (Police Chief or Designee, Building Inspector, Assistant Building Inspector)</u>	
	<u>1st offense</u>	<u>\$100</u>
	<u>2nd offense</u>	<u>\$200</u>
	<u>3rd offense</u>	<u>\$300</u>
§ 244-1	Storage of unregistered used motor vehicles (Building Inspector, Assistant Building Inspector)	
	1st offense	\$50
	2nd offense	\$100
	3rd offense	\$300
§ 253-10.E(1)	(Conservation Agents, Conservation Officers)	\$300
§ 253-10.E(2)	(Conservation Agents, Conservation Officers)	\$200
§ 253-10.E(3)	(Conservation Agents, Conservation Officers)	\$100
§ 253-10.E(4)	(Conservation Agents, Conservation Officers)	\$100
§ 253-10.E(5)	(Conservation Agents, Conservation Officers)	\$100
§ 255-6.2	Violation of sign regulations (Building Inspector, Assistant Building Inspector)	\$50
§ 255-10.1.8	Building without a permit (Building Inspector, Assistant Building Inspector)	\$300
§ 255-10.1.5	Operating a business without a use and occupancy certificate (Building Inspector, Assistant Building Inspector)	\$50
Chapter 255 , Table of Use and Parking Regulations)	Violation of Table of Use and Parking Regulations (Building Inspector, Assistant Building Inspector)	
	Open, outside storage	\$300
	Maintaining unauthorized business	\$100



Document
CITY OF HAVERHILL
In Municipal Council

Ordered:

MUNICIPAL ORDINANCE

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	Open, outside storage	\$300
	Maintaining unauthorized business	\$100

Thank you for placing your order with us.

From North of Boston <noreply@wave2adportal.com>
Date Mon 3/2/2026 8:54 AM
To Natalia Hernandez <NHernandez@HaverhillMa.gov>

 1 attachment (19 KB)
W01421710.pdf;

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

Job Details

Order Number: **W0142171**
Business Type: **All Other Public Notices**
Notice Size: **Public Notices**
Notice Estimate: **\$115.39**
Referral Code: **Snow and Ice Ord.**

Schedule for notice number W01421710

Thu Mar 5, 2026
Haverhill Gazette Public All Zones
Notices

Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

16. 1. 2

Document # 1-QQ

Mayor Barrett submits the following Ordinances:

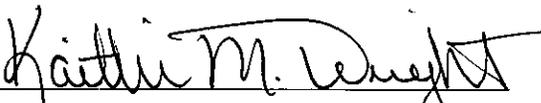
Ordinance: amend Sections 1-16 of Article 1, Chapter 1

General Provisions to increase the fines for violations of Chapter 216

IN CITY COUNCIL: March 3, 2026

File 10 Days

10 YEAS, 0 NAYS, 1 ABSENT

Attest: 
Kaitlin M. Wright, CMC
City Clerk



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

Municipal Ordinance

Chapter

An Ordinance Relating to Amendment to Article 1, Chapter 1- General Provisions of the Haverhill City Ordinances

Since this Ordinance exceeds in length eight octavo pages of ordinary book print, in lieu of advertising, it is published by the City Council in a municipal bulletin, placed on file in the City Clerk's Office, and posted on the municipal bulletin in City Hall.

PLACED ON FILE for at least 10 days

Attest:



Kaitlin M. Wright, CMC
City Clerk



Document
CITY OF HAVERHILL
In Municipal Council

Ordered:

MUNICIPAL ORDINANCE

CHAPTER 216

**AN ORDINANCE RELATING TO AMENDMENT TO CHAPTER 216 OF THE
HAVERHILL CITY ORDINANCES**

BE IT ORDAINED by the City Council of the City of Haverhill Chapter 216 – SNOW AND ICE REMOVAL, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows:

§ 216-3. Notice to remove; time limit.

Whenever any sidewalk or footway shall be encumbered with snow or ice contrary to the provisions of the two preceding sections, it shall be the duty of the Chief of Police, the Police Chief's designee, the Building Commissioner or the Assistant Building Commissioner to notify or cause to be notified the person responsible therefor. Said encumbered sidewalk or footway shall be cleared and/or made safe for convenient travel within six (6) hours of notification.

§ 216-6. Enforcement; penalties.

A violation of any provision of this Chapter may be prosecuted by complaint brought before the District Court or penalized by a noncriminal disposition as provided in M.G.L. c. 40, § 21D and shall be enforced by the Police Chief, the Police Chief's Designee, the Building Commissioner or the Assistant Building Commissioner pursuant to the procedure outlined in Chapter 1, § 1-16 of these Ordinances.

Thank you for placing your order with us.

From North of Boston <noreply@wave2adportal.com>

Date Mon 3/2/2026 8:56 AM

To CityClerk <cityclerk@haverhillma.gov>

Cc cmacdonald@northofboston.com <cmacdonald@northofboston.com>; Kaitlin Wright <kwright@haverhillma.gov>; Natalia Hernandez <NHernandez@HaverhillMa.gov>

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

Job Details

Order Number: **W0142172**
Business Type: All Other Public Notices
Notice Size: Public Notices
Notice Estimate: \$51.92
Referral Code: Snow Removal Ord.

Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

Schedule for notice number W01421720

Thu Mar 5, 2026
Haverhill Gazette Public All Zones
Notices

**CITY OF HAVERHILL
In Municipal Council
ORDERED:**
Municipal Ordinance Chapter
An Ordinance Relating to Amend-
ment to Article I, Chapter 1- General
Provisions of the Haverhill City Ordi-
nances
Since this Ordinance exceeds in
length eight octavo pages of ordi-
nary book print, in lieu of advertis-
ing, it is published by the City Coun-
cil in a municipal bulletin, placed
on file in the City Clerk's Office, and
posted on the municipal bulletin in
City Hall.
PLACED ON FILE for at least 10
days Attest:
Kaitlin M. Wright, CMC
City Clerk
HG - Publication Dates

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The North of Boston Media Group reserves the right to alter, edit and omit any notice to meet our editorial guidelines. Any additional charges or credits as a result of this process will be the responsibility of the individual or company submitting the notice.

This is an automated message, please do not reply to this e-mail. If you have any questions or concerns you may contact us toll-free at 800-681-6248.

16.2

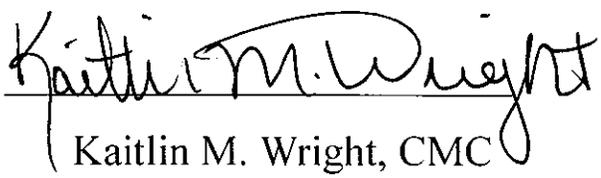
Document # 26-A

Loan Order- Appropriate \$18,570,700 to finance the Phase 2 Locke Street area sewer, drain and water system improvements

IN CITY COUNCIL: March 3, 2026

File for 10 days

10 YEAS, 0 NAYS, 1 ABSENT

Attest: 
Kaitlin M. Wright, CMC
City Clerk

13.1

MELINDA E BARRETT
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.HAVERHILLMA.GOV

February 27, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

RE: Amended Loan Order for \$ 18,570,700.00 for Phase 2 Locke Street CSO Separation and Water System Improvements.

Dear Mr. President and Members of the Haverhill City Council:

Please see attached amended loan order for \$18,570,700.00 for Phase 2 Locke Street CSO Separation and Water System Improvements. This item must be placed on file for 10 days.

I recommend approval.

Sincerely,

Melinda E. Barrett
Mayor

MEB/em



Haverhill

Robert E. Ward, DPW Director
Phone: 978-374-2382 Fax: 978-521-4083
rward@haverhillma.gov

Date: February 26, 2026

To: The Honorable Melinda E. Barrett
Mayor of Haverhill

From: Robert E. Ward *REW*
DPW Director

Subject: Amended Loan Order – Phase 2 Locke Combined Sewer Overflow Separation and Water System Improvements

Enclosed for your review and approval is an amended loan order for the Phase 2 Locke Street CSO Separation and Water System Improvements project. The original loan order, adopted by the City Council on June 3, 2025, authorized funding only for the combined sewer overflow (CSO) separation work in the Locke Street area.

This Phase 2 project is a continuation of the City's efforts to reduce combined sewer overflows (CSOs) as mandated by the Consent Decree (CD) the City entered into with the United States Environmental Protection Agency (US EPA) and Massachusetts Department of Environmental Protection (MassDEP) on November 10, 2016.

The original loan order was CSO separation work and was required to be approved by June 30, 2025, in order to meet the Massachusetts Clean Water Trust State Revolving Fund (SRF) program schedule to maintain eligibility for low-interest financing and principal forgiveness. At that time, the design of the project was still in its early stages, and the full scope and cost of water system improvements within the project area had not yet been determined.

The amended loan order increases the total borrowing authorization to \$18,570,700 to fund water system improvements within the CSO project area. These water main improvements were identified during the design phase and will be completed in coordination with the sewer separation work to improve system reliability, avoid future roadway excavation, and maximize the long-term value of the project.

If acceptable, I respectfully request that this amended loan order be submitted to the City Council for their review and approval. The loan order must be placed on file with the City Council for a minimum of ten (10) days prior to their vote. During this period, I will provide the City Council with project information, including scope, schedule, and financial impacts, to ensure they have the necessary information to consider the loan order.

Timely approval of this amended loan order will allow the City to proceed with this coordinated infrastructure project and maintain its overall construction and financing schedule to remain eligible for SRF loan funding and principle forgiveness.

Please let me know if you have any questions or require additional information.

Attachments

- Proposed Loan Order – for City Council approval
- Loan Order adopted by City Council June 3, 2025

Cc: Christine M. Lindberg, Chief of Staff, clindberg@haverhillma.gov
Angel A. Perkins, City Auditor/Finance Director, aperkins@haverhillma.gov
Lisa L. Mead, Mead, Talerman & Costa LLC, lisa@mtclawyers.com
Allana McOsker, DPW Business Manager, ajmcosker@haverhillma.gov
Lynn Spitalere, Treasurer/Collector, lspitalere@haverhillma.gov

13.1.1



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

FEB 27 AM 9:36
HVCITYCLERK

ORDERED:

That the order adopted by the City Council on June 3, 2025, which authorized \$14,667,000 for Phase 2 Locke Street Area sewer, drain, and water system improvements be amended to increase the amount appropriated and authorized to be borrowed to a new aggregate total of \$18,570,700, so the amended loan order reads as follows:

ORDERED: "That \$18,570,700 is appropriated for the purpose of financing the engineering and construction of the Phase 2 Locke Street area sewer, drain and water system improvements, and including the payment of costs incidental or related to such capital improvements, and including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended ("Chapter 29C"); that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$18,570,700 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C (the "Trust"); and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith. The Mayor is authorized to apply for and accept any and all grants that may be available to pay the costs of this project, and the total borrowing authorized by this order shall be reduced to the extent of any such grants received by the City for this project."

19-D



DOCUMENT 19-D

CITY OF HAVERHILL

In Municipal Council May 13 2025

RECEIVED
MAY 13 2025
CITY CLERK

Loan Order – Phase 2 Locke Street Sewer, Water, and Drain Improvements

ORDERED: That \$14,667,000.00 is appropriated for the purpose of financing the engineering and construction of the Phase 2 Locke Street area sewer, drain, and water system improvements, and including the payment of costs incidental or related to such capital improvements and including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended (“Chapter 29C”); that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow \$14,667,000.00 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C, or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C (“the Trust”); and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

Loan Order

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (“the Commonwealth”) to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith. The Mayor is authorized to apply for and except any and all grants that may be available to pay costs of this project, and the total borrowing authorized by this order shall be reduced to the extent of any such grants received by the City for this project.

PLACED ON FILE for atleast 10 days

Attest: Kaitlin M. Wright City Clerk

IN CITY COUNCIL: June 3 2025

PASSED

Attest: Kaitlin M. Wright City Clerk

APPROVED:

Michael E. Bannett Mayor



Outlook

Thank you for placing your order with us.

From North of Boston <noreply@wave2adportal.com>

Date Mon 3/2/2026 8:50 AM

To CityClerk <cityclerk@haverhillma.gov>

Cc cmacdonald@northofboston.com <cmacdonald@northofboston.com>; Kaitlin Wright <kwright@haverhillma.gov>; Natalia Hernandez <NHernandez@HaverhillMa.gov>

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

Job Details

Order Number: **W0142170**
Business Type: **All Other Public Notices**
Notice Size: **Public Notices**
Notice Estimate: **\$219.23**
Referral Code: **Phase 2 Locke St.**

Schedule for notice number W01421700

Thu Mar 5, 2026
Haverhill Gazette Public All Zones
Notices

Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

**CITY OF HAVERHILL
In Municipal Council**

ORDERED:

That the order adopted by the City Council on June 3, 2025, which authorized

\$14,667,000 for Phase 2 Locke Street Area sewer, drain, and water system improvements be amended to increase the amount appropriated and authorized to be borrowed to a new aggregate total of \$18,570,700, so the amended loan order reads as follows:

ORDERED: "That \$18,570,700 is appropriated for the purpose of financing the engineering and construction of the Phase 2 Locke Street area sewer, drain and water system improvements, and including the payment of costs incidental or related to such capital improvements, and including without limitation all costs thereof as defined in Section I of Chapter 29C of the General Laws, as most recently amended ("Chapter 29C"); that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$18,570,700 and issue bonds or notes therefor under Chapter 44 of the General Laws and/or Chapter 29C or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section I of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C (the "Trust"); and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith. The Mayor is authorized to apply for and accept any and all grants that may be available to pay the costs of this project, and the total borrowing authorized by this order shall be reduced to the extent of any such grants received by the City for this project."

HG - Publication Dates

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Haverhill

Robert E. Ward, DPW Director
Phone: 978-374-2382 Fax: 978-521-4083
rward@haverhillMA.gov

Date: March 12, 2026

To: The Honorable Melinda E. Barrett
Mayor of Haverhill

From: Robert E. Ward *R.E.W.*
DPW Director

Subject: Proposed Amended Loan Order – Phase 2 Locke Street Combined Sewer Overflow Separation and Water System Improvements

This memorandum is to provide the City Council with additional information for the proposed amended loan order for the subject project. The amended loan order was sent with my memorandum dated February 26, 2026 (attached). The City Council placed the amended loan order on file for 10 days at their meeting on March 3, 2026. The loan order is scheduled to be on the agenda on March 17th.

The amended loan order increases the borrowing authorization from \$14,667,000 to \$18,570,700 to pay for water system improvements that will be constructed as part of the Locke Street Combined Sewer Overflow (CSO) project. As stated in my February 26, 2026 memorandum, the water main improvements were not included in the original loan authorization, which was for the CSO work.

The water system work includes approximately 3,700 linear feet of new 8 and 12-inch water main, along with associated valves, hydrants, and service connections. The work will also include replacing approximately 40 water service connections, replacing lead services where encountered, installing temporary water bypass piping during construction, and restoring pavement and curbing.

The estimated cost of the improvements is approximately \$3.6 million and is not eligible for the state revolving fund loan program. The annual loan payment is estimated at \$284,000 and is expected to start in fiscal 2028. The projected rate impact is \$0.12, adding approximately \$10 to the average household bill.

The project's CSO separation work remains an important component of the City's program to comply with the 2016 Consent Decree with the U.S. Environmental Protection Agency and Massachusetts Department of Environmental Protection to reduce combined sewer overflows to the Little River and Merrimack River.

Please let me know if you need any additional information.

Attachments

- Memo dated February 26, 2026, with attachments
- Map showing the project area
- Summary of Project Costs
- Construction Costs
- Water Capital Project List

Cc: Christine Lindberg, Mayor Chief of Staff, clindberg@haverhill.MA.gov
Angel A. Perkins, City Auditor/Finance Director, aperkins@haverhillMA.gov
Lisa Mead, Mead, Talerman & Costa LLC, lisa@mtclawyers.com
Allana J. McOsker, Chief Financial Admin Assistant, ajmcosker@haverhillMA.gov



Haverhill

Robert E. Ward, DPW Director
Phone: 978-374-2382 Fax: 978-521-4083
rward@haverhillma.gov

Date: February 26, 2026

To: The Honorable Melinda E. Barrett
Mayor of Haverhill

From: Robert E. Ward *REW*
DPW Director

Subject: Amended Loan Order – Phase 2 Locke Combined Sewer Overflow Separation
and Water System Improvements

Enclosed for your review and approval is an amended loan order for the Phase 2 Locke Street CSO Separation and Water System Improvements project. The original loan order, adopted by the City Council on June 3, 2025, authorized funding only for the combined sewer overflow (CSO) separation work in the Locke Street area.

This Phase 2 project is a continuation of the City's efforts to reduce combined sewer overflows (CSOs) as mandated by the Consent Decree (CD) the City entered into with the United States Environmental Protection Agency (US EPA) and Massachusetts Department of Environmental Protection (MassDEP) on November 10, 2016.

The original loan order was CSO separation work and was required to be approved by June 30, 2025, in order to meet the Massachusetts Clean Water Trust State Revolving Fund (SRF) program schedule to maintain eligibility for low-interest financing and principal forgiveness. At that time, the design of the project was still in its early stages, and the full scope and cost of water system improvements within the project area had not yet been determined.

The amended loan order increases the total borrowing authorization to \$18,570,700 to fund water system improvements within the CSO project area. These water main improvements were identified during the design phase and will be completed in coordination with the sewer separation work to improve system reliability, avoid future roadway excavation, and maximize the long-term value of the project.

If acceptable, I respectfully request that this amended loan order be submitted to the City Council for their review and approval. The loan order must be placed on file with the City Council for a minimum of ten (10) days prior to their vote. During this period, I will provide the City Council with project information, including scope, schedule, and financial impacts, to ensure they have the necessary information to consider the loan order.

Timely approval of this amended loan order will allow the City to proceed with this coordinated infrastructure project and maintain its overall construction and financing schedule to remain eligible for SRF loan funding and principle forgiveness.

Please let me know if you have any questions or require additional information.

Attachments

- Proposed Loan Order – for City Council approval
- Loan Order adopted by City Council June 3, 2025

Cc: Christine M. Lindberg, Chief of Staff, clindberg@haverhillma.gov
Angel A. Perkins, City Auditor/Finance Director, aperkins@haverhillma.gov
Lisa L. Mead, Mead, Talerman & Costa LLC, lisa@mtclawyers.com
Allana McOsker, DPW Business Manager, ajmcosker@haverhillma.gov
Lynn Spitalere, Treasurer/Collector, lspitalere@haverhillma.gov



DOCUMENT
CITY OF HAVERHILL

In Municipal Council

ORDERED:

That the order adopted by the City Council on June 3, 2025, which authorized \$14,667,000 for Phase 2 Locke Street Area sewer, drain, and water system improvements be amended to increase the amount appropriated and authorized to be borrowed to a new aggregate total of \$18,570,700, so the amended loan order reads as follows:

ORDERED: "That \$18,570,700 is appropriated for the purpose of financing the engineering and construction of the Phase 2 Locke Street area sewer, drain and water system improvements, and including the payment of costs incidental or related to such capital improvements, and including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended ("Chapter 29C"); that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$18,570,700 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C (the "Trust"); and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith. The Mayor is authorized to apply for and accept any and all grants that may be available to pay the costs of this project, and the total borrowing authorized by this order shall be reduced to the extent of any such grants received by the City for this project."

19-D



DOCUMENT 19-D

CITY OF HAVERHILL

In Municipal Council May 13 2025

RECEIVED
MAY 13 2025
MUNICIPAL CLERK

Loan Order – Phase 2 Locke Street Sewer, Water, and Drain Improvements

ORDERED: That \$14,667,000.00 is appropriated for the purpose of financing the engineering and construction of the Phase 2 Locke Street area sewer, drain, and water system improvements, and including the payment of costs incidental or related to such capital improvements and including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended ("Chapter 29C"); that to meet this appropriation, the Treasurer with the approval of the Mayor, is authorized to borrow \$14,667,000.00 and issue bonds or notes therefore under Chapter 44 of the General Laws and/or Chapter 29C, or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C ("the Trust"); and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

Loan Order

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts ("the Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith. The Mayor is authorized to apply for and except any and all grants that may be available to pay costs of this project, and the total borrowing authorized by this order shall be reduced to the extent of any such grants received by the City for this project.

PLACED ON FILE for atleast 10 days

Attest: Kaitlin M. Dwyer City Clerk

IN CITY COUNCIL: June 3 2025

PASSED

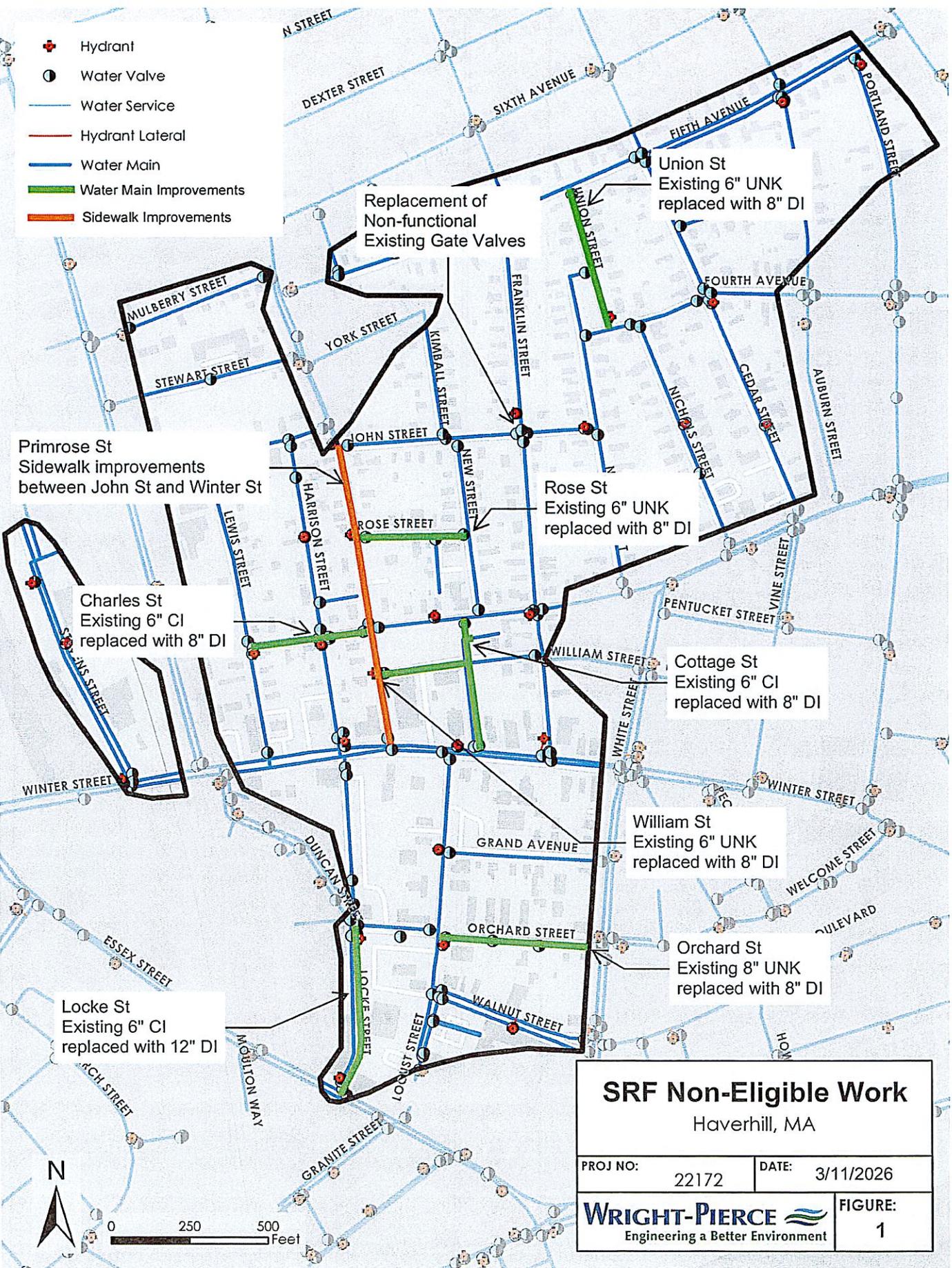
Attest: Kaitlin M. Dwyer City Clerk

APPROVED:

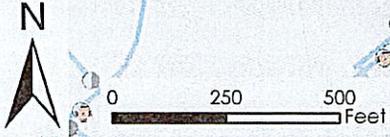
Melinda E. Barlett Mayor

CLM W:\GIS_Development\Projects\MA\Haverhill\22172_LTCP_Phase2\Lockes1_Ph2_Maps.aprx - Water_Ph2_Overview_8x111

-  Hydrant
-  Water Valve
-  Water Service
-  Hydrant Lateral
-  Water Main
-  Water Main Improvements
-  Sidewalk Improvements



SRF Non-Eligible Work	
Haverhill, MA	
PROJ NO: 22172	DATE: 3/11/2026
WRIGHT-PIERCE Engineering a Better Environment	FIGURE: 1



LOCKE STREET SEWER SEPERATION - PHASE 2
 CWSRF-18993
 CLEAN WATER CONSTRUCTION

SUMMARY OF PROJECT COSTS

3/11/2026

Project Line Item	InEligible Costs
SRF Non-Eligible Items	
Watermain Construction Cost	\$ 1,648,000.00
Watermain Construction Contingency (10%)	\$ 165,000.00
Watermain Construction Services	\$ 622,400.00
Primrose St. Sidewalk Improvements Construction Cost	\$ 455,000.00
Primrose St. Sidewalk Improvements Construction Contingency (10%)	\$ 45,500.00
General Construction Cost	\$ 217,000.00
General Construction Contingency (10%)	\$ 21,700.00
Primrose St. Sidewalk Improvements - Construction Services	\$ 168,800.00
Non-Eligible Police Details	\$ 200,000.00
Non-Eligible Other Costs	\$ 100,000.00
TOTALS	\$ 3,643,400.00

LOCKE STREET AREA CSS PHASE 2 - WATER MAIN IMPROVEMENTS
CITY OF HAVERHILL, MASSACHUSETTS
ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS SRF SUBMITTAL
Mar-26

Description	Unit	Quantities	Unit Price	Total Cost
12-Inch DI Water Main	LF	650	\$250	\$162,500
8-Inch DI Water Main	LF	3,000	\$220	\$660,000
6-inch DI Water Main	LF	50	\$200	\$10,000
12-Inch Gate Valve & Box	EA	5	\$5,700	\$28,500
8-Inch Gate Valve & Box	EA	30	\$4,200	\$126,000
6-inch Gate Valve & Box	EA	2	\$3,500	\$7,000
1" Corporation	EA	40	\$2,100	\$84,000
1" Curb Stop and Box	EA	40	\$500	\$20,000
Service Line	LF	600	\$80	\$48,000
<i>Lead Service Line Replacement - Corporation</i>	EA	25	\$2,100	\$52,500
<i>Lead Service Line Replacement - Curb Stop</i>	EA	25	\$500	\$12,500
<i>Lead Service Line Replacement - Service Pipe</i>	LF	500	\$100	\$50,000
4" Temp Water Bypass	LF	2,000	\$30	\$60,000
2" Temp Water Bypass	LF	1,600	\$20	\$32,000
Temporary Trench Pavement	TON	700	\$220	\$154,000
Milling	SY	2,250	\$23	\$50,625
Final Pavement on Orchard St	TON	250	\$130	\$32,500
Remove and Reset Curb	LF	200	\$65	\$12,960
Sidewalks	SY	60	\$150	\$9,000
Fire Hydrant Assemblies	EA	3	\$11,900	\$35,700
Construction Subtotal				\$1,648,000
Construction Contingency (10%)				\$165,000
Engineer's Opinion of Probable Construction Costs				\$1,813,000

Water Capital Project List						
Project	Funding	FY26	FY27	FY28	FY29	FY30
Water Supply						
Water Supply Expenditures	Annual Capital	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000
Merrimack River - Geophysical, Pump Test, & Permitting						
Merrimack River - Well Construction	Debt Financing	\$ 6,500,000				
Merrimack River - Transmission Main	Debt Financing	\$ 4,500,000	\$ 4,500,000			
Merrimack River - Engineering CA	Debt Financing					
Merrimack River - Property Acquisition	Debt Financing					
Property Acquisition - Crystal Street - Young	Capital Fund					
Property Acquisition - Crystal Street - Early	Debt Financing					
Kenoza Lake Bank Stabilization	Annual Capital					
Property Acquisition - Brox	Annual Capital	\$ 175,000				
Property Acquisition - Dibietto	Annual Capital	\$ 185,000				
Water Treatment						
Granular Activated Carbon Change	Annual Capital		\$ 320,000	\$ 320,000	\$ 320,000	\$ 320,000
WTP Emergency Capital Repair	Annual Capital	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
Tanks - Design & Construction Administration	Debt Financing			\$ 250,000		
Tanks - Recoating of Tank Exteriors	Debt Financing				\$ 1,000,000	
Tanks - Interior Inspection & Cleaning	Annual Capital					\$ 100,000
Tanks - Water Quality Monitoring Station	Debt Financing					\$ 750,000
Pumping Stations						
Millvale Pump Inspection & Rebuild	Annual Capital					
Pump station equipment replacement	Annual Capital	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000
Persimmon Woods BPS (ARPA)	ARPA					
Persimmon Woods BPS	Debt Financing	\$ 1,380,000				
Sherwood Drive BPS Replacement (ARPA)	ARPA					
Sherwood Drive BPS Replacement	Debt Financing	\$ 1,380,000				
Telemetry System Upgrade	Annual Capital					
Broadway Booster Upgrade	Debt Financing			\$ 4,000,000		
Pumping Station Rehab/Replace - Scotland Heights	Debt Financing				\$ 2,500,000	
Water Supply Dams						
Millvale Dam Rehabilitation	Debt Financing		\$ 2,000,000			
Kenoza Lake South Embankment	Debt Financing			\$ 1,000,000		
Crystal Lake Dam Improvements	Annual Capital					
Transmission and Distribution						
Clean/Line 20"	SRF Financing					\$ 5,100,000
SRF ID 6889 Smiley/Montclair/Primrose	SRF Financing					
Locke St Area - Rehab/Replace Aged Mains Phase 1	Debt Financing	\$ 2,382,000				
Locke St Area - Rehab/Replace Aged Mains Phase 2	Debt Financing		\$ 668,700	\$ 2,500,000		
Locke St Area - Rehab/Replace Aged Mains Phase 3	Debt Financing				\$ 100,000	\$ 2,500,000
Merrimack street (ARPA)	ARPA					
Rehab/replace downtown water mains						
Water Infrastructure Expense	Annual Capital	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000	\$ 60,000
Lead Service Compliance Maintenance	Annual Capital					
Lead Service Replacement - Grant						
Lead Service Replacement		\$ 120,000	\$ 120,000	\$ 120,000		
Water Main Repair/Replace - Paving CIP	Debt Financing	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000
Basilere Bridge River Crossing 16" Main	Debt Financing	\$ 1,700,000				
Meters						
Small Meter Replacement	Annual Capital	\$ 80,000	\$ 250,000	\$ 250,000		
Large Meter Replacement	Annual Capital	\$ 90,000	\$ 150,000	\$ 150,000		
Fixed network for water meters	Annual Capital	\$ 15,000	\$ 16,000	\$ 17,000	\$ 18,000	\$ 19,000
Buildings						
Water Maint Garage - Repairs and Maintenance	Annual Capital	\$ 15,000	\$ 15,000	\$ 15,500	\$ 15,500	\$ 16,000
Water Maint Garage - Window Replacement	Annual Capital			\$ 100,000		
Vehicles and Equipment						
Utility Truck Replacement	Annual Capital		\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
W-8 plow truck replacement	Annual Capital					
W-20 Replacement 10 wheel dump	Annual Capital			\$ 200,000		
Backhoe Replacement	Annual Capital		\$ 200,000			
Misc. Equipment	Annual Capital			\$ 25,000		\$ 25,000
Forklift	Annual Capital					\$ 60,000
Boat, Motor, and Trailer	Annual Capital					
Computer Hardware and Software						
Billing Software	Annual Capital	\$ 25,000		\$ 25,000		\$ 25,000
Computer Maintenance Management Software	Annual Capital					
AMP Grant	SRF Financing					
Stratus fault tolerant server - lease	Annual Capital			\$ 150,000		
GIS Aerial	Annual Capital			\$ 30,000		
Computer, printers and monitors	Annual Capital					
Control System Network Isolation	Annual Capital					
	Annual Capital	\$ 390,000	\$ 1,216,000	\$ 1,547,500	\$ 618,500	\$ 830,000
	SRF Financing	\$ -	\$ -	\$ -	\$ -	\$ 5,100,000
	Debt Financing	\$ 18,342,000	\$ 7,668,700	\$ 8,250,000	\$ 4,100,000	\$ 3,750,000
	Capital Reserves	\$ -	\$ -	\$ -	\$ -	\$ -

16.3

Document #10-E

14.1. Ordinance re: Vehicles and Traffic; Amend Ch 240, be further amended by ADDING the following to § 240-85 schedule B: Parking Restrictions and Prohibitions:

LOCATION	REGULATION	HOURS/DAYS
Blaisdell St:	No Parking	24-Hrs
In front of #9	(except for 1 24-hr handicap parking space)	

IN CITY COUNCIL: March 3, 2026

File 10 days

10 YEAS, 0 NAYS, 1 ABSENT

Attest: 
 Kaitlin M. Wright, CMC
 City Clerk

14.1

File 10 Days



Haverhill

Lisa DeMeo, City Engineer
Phone: 978-374-2335
ldemeo@haverhillma.gov

February 25, 2026

FEB 26 AM 9:09
HAVCITYCLERK

**MEMO TO: CITY COUNCIL PRESIDENT TIMOTHY JORDAN AND
MEMBERS OF THE CITY COUNCIL**

Subject: *Blaisdell Street #9 – HPS-26-4 - Add Handicap Parking*

As requested, attached is the subject Ordinance to add handicap parking.
Please contact me if you have any questions.

Sincerely,

Lisa DeMeo
City Engineer

C: Mayor Barrett, Lt. Lynch, K. Wright, R. Ward



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, §85, Schedule B: Parking Restrictions and Prohibitions, as amended, is hereby further amended by **ADDING** the following:

Blaisdell Street:	No Parking	24 hours
In front of #9	(except for 1 24-hour handicap parking space)	

APPROVED AS TO LEGALITY

City Solicitor

Kaitlin Wright

From: North of Boston <noreply@wave2adportal.com>
Sent: Friday, February 27, 2026 11:23 AM
To: CityClerk
Cc: cmacdonald@northofboston.com; Kaitlin Wright
Subject: Thank you for placing your order with us.

**Warning! External Email. Exercise caution when opening attachments or clicking on any links.
THANK YOU for your notice submission!**

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

Job Details

Order Number:
W0142132
Business Type:
All Other Public Notices
Notice Size:
Public Notices
Notice Estimate:
\$69.23
Referral Code:
9 Blaisdell Street Parking ord.

Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA □ 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

Schedule for notice number W01421320

Thu Mar 5, 2026
Haverhill Gazette Public Notices
All Zones

CITY OF HAVERHILL
In Municipal Council

ORDERED:

AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC
BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, §85, Schedule B: Parking Restrictions and Prohibitions, as amended, is hereby further amended by ADDING the following:

Blaisdell Street:	No Parking	24 hours
In front of #9	(except for 1 24-hour handicap parking space)	

APPROVED AS TO LEGALITY

City Solicitor
HG - Publication Dates

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16.4

Document #1K

Mayor Barrett submits an Ordinance Relating to Sex Offenders which amends the previously accepted ordinance

IN CITY COUNCIL: February 24, 2026

File 10 Days

7 YEAS, 0 NAYS, 4 ABSENT

Attest: Kaitlin M. Wright
Kaitlin M. Wright, CMC
City Clerk

IN CITY COUNCIL: MARCH 10, 2026
CON'T TO MARCH 17, 2026 10 YEAS, 0 NAYS , 1 ABSENT

ATTEST: Kaitlin M. Wright
CITY CLERK

5.1

File 10 days



MELINDA E. BARRETT
MAYOR

CITY OF HAVERHILL
MASSACHUSETTS

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.HAVERHILLMA.GOV

February 20, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council
From: Mayor Melinda E. Barrett
Re: Ordinance Relating to Sex Offenders

Dear Mr. President and Members of the City Council:

Attached please find an Ordinance Relating to Sex Offenders which amends the previously accepted Ordinance. I have also attached a memo from the City Solicitor explaining the proposed amendment.

I recommend approval

Very truly yours,

Melinda E. Barrett
Mayor



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950
Phone 978.463.7700

www.mtclawyers.com

February 17, 2026

Melinda Barrett, Mayor
City of Haverhill
4 Summer Street,
Room 204
Haverhill, MA 01830

Re: **Amendment to Chapter 189, § 189-16 of the City Ordinances**

Dear Mayor Barrett:

Reference is made to the above captioned matter. In that connection, you have requested that we amend City of Haverhill City Ordinances Chapter 189, § 189-16 Sex Offenders.

Attached to this correspondence and for the City Council's review is a draft of said amended § 189-16 and a memorandum explaining the reasons for doing so.

Sincerely,

/s/ Lisa L. Mead

Attorney Lisa L. Mead
City Solicitor

Enclosure(s)

cc: Haverhill City Council

Millis Office

730 Main Street, Suite 1F
Millis, MA 02054

New Bedford Office

227 Union Street, Suite 606
New Bedford, MA 02740



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950
Phone 978.463.7700

www.mtclawyers.com

Millis Office
730 Main Street, Suite 1F
Millis, MA 02054

New Bedford Office
227 Union Street, Suite 606
New Bedford, MA 02740

**TO: MELINDA BARRETT, MAYOR
CHRISTINE LINDBERG, MAYOR'S OFFICE CHIEF OF STAFF**

**FROM: LISA L. MEAD, CITY SOLICITOR
ALEXANDER M. CASTRO, CITY SOLICITOR**

RE: SEX OFFENDER RESIDENCY ORDINANCE

DATE: FEBRUARY 17, 2026

Per your request, below is a legal opinion as to why the City should amend its Sex Offender Ordinance, Chapter 189, § 189-16 of the City Code, by removing Subsection D(4) thereof and by removing “parks” and “recreational facilities” as prohibited locations. First, the City should remove Subsection D(4) because doing so (1) makes it less likely that the ordinance would be overturned under *Doe v. Lynn*, 472 Mass. 521 (2015); and (2) makes it less likely that the ordinance would be overturned under Article 24 of the Massachusetts Declaration of Rights and Article 1, Section 9 of the United States Constitution as an ex post facto law. Second, the City should remove “parks” and “recreational facilities” as prohibited locations because, upon further review, we found that the City and its Police Department have mapped prohibited locations around schools only; and because doing so makes it less likely that the ordinance would be overturned under *Doe v. Lynn*.

In *Doe v. Lynn*, a group of sex offenders challenged a city ordinance restricting – with certain exceptions – their right to reside and their right to be physically present at a particular place within the city. *See id.* The purpose of the ordinance was to “reduce the potential risk of harm to children of the community by impacting the ability of registered sex offenders to be in contact with unsuspecting children in locations that are primarily designed for use by, or are primarily used by children.” *Id.* at 522-524. Observing that “[r]egistered sex offenders continue to reside in close proximity to public and private schools, parks and playgrounds,” and that “registered sex offenders will continue to move to buildings, apartments, domiciles or residences in close proximity to schools, parks and playgrounds,” the city council enacted the ordinance to “add location restrictions to such offenders where the [S]tate law [was] silent.” *Id.*

Specifically, the ordinance prohibited – with certain exceptions – Level 2 and Level 3 sex offenders from living within 1,000 feet of a school or park, which effectively excluded Level 2 and 3 sex offenders from living in 95% of the city. *See id.* The ordinance likewise prohibited – again with certain exceptions – Level 2 and Level 3 offenders from entering a school, park, or recreational facility, and from “loitering” within 1,000 feet of such facilities. *See id.*

Noting that 40 municipalities in commonwealth had similar bylaws or ordinances, the Supreme Judicial Court (the “SJC”) nonetheless upheld the Superior Court’s decision invalidating the ordinance as exceeding the city’s authority under the Commonwealth’s Home Rule Amendment.

“Local regulation will not be invalidated under Home Rule Amendment unless the court finds a sharp conflict between the local and state provisions, and sharp conflict

appears when either the legislative intent to preclude local action is clear, or, absent plain expression of such intent, the purpose of the legislation cannot be achieved in the face of the local by-law.” *Id.* at 526. Applying the foregoing standard, the SJC held as follows:

The totality of the [Commonwealth’s sex offender registry] statutory scheme, incorporating as it does a series of interdependent policies and practices specifically designed to protect the public from level two and three sex offenders by monitoring and notification to the public, evinces the Legislature’s intent to have the first and final word on the subject of residency of sex offenders. In addition, insofar as the ordinance effects [*sic*] a wholesale displacement of sex offenders from their residences, it frustrates the purpose of the registry law and, therefore, is inconsistent and invalid under the home rule provisions.

Id. at 533. The Attorney General’s Municipal Law Unit interprets *Doe v. Lynn* as prohibiting municipalities from enacting any local legislation that regulates “where sex offenders may live or be.” *West Boylston Semi-Annual Town Meeting of October 21, 2024 - Case # 11610*; see also *Yarmouth Annual Town Meeting of May 2, 2015 - Case # 7602* (“the City of Lynn decision makes it clear that any municipal regulation of sex offenders’ residency or presence at particular places within the municipality is preempted by the comprehensive state statutory scheme”); *Rehoboth Special Town Meeting of November 2, 2015 - Case # 7797*.

Here, while there is no doubt that the Sex Offender Ordinance regulates where sex offenders may live or be in the City, cities are not required to submit their ordinances to the Municipal Law Unit for review and, as such, are not necessarily subject to the foregoing interpretation.

But if challenged, the ordinance may still be overturned under *Doe v. Lynn* because (1) like the Lynn ordinance, the City’s ordinance prohibits sex offenders from residing within 1000 feet of or loitering around a school; and (2) *Doe v. Lynn* is abundantly clear that the statutory scheme on registering sex offenders preempts the field – as stated by the Municipal Law Unit.

Section D(4) of the City’s Sex Offender Ordinance reads as follows:

Notice to move. A registered sex offender who resides on a permanent or temporary basis within 1000 feet of any school shall be in violation of this section and shall, within 30 days of receipt of written notice of the registered sex offender’s noncompliance with this chapter, move from said location to a new location, but said location may not be within 1000 feet of any school. It shall constitute a separate violation for each day beyond the 30 days the registered sex offender continues to reside within 1000 feet of any school. Furthermore, it shall be a violation each day that a registered sex offender shall move from one location in the City to another that is within 1000 feet of any school.

By removing this provision and by removing “parks” and “recreational facilities” as prohibited locations, the City would have a better argument that its ordinance, unlike Lynn’s, does not affect “a wholesale displacement of sex offenders from their residences,” and is therefore valid under the Home Rule Amendment. This argument is bolstered by the fact that the prohibited locations mapped by the City – which, as noted above, are limited to areas around schools – are minimal and more reasonable when compared to the prohibited locations in *Doe v. Lynn*.

As for the being overturned under the United States and Massachusetts Constitutions, Article 1, Section 9 of the United States Constitution states that “[n]o Bill of Attainder or ex post facto Law shall be passed.” The Supreme Court of the United States has routinely and continuously upheld the proposition that legislative acts, no matter what their form, that apply either to named individuals or to easily ascertainable members of a group in such a

way as to inflict punishment on them without a judicial trial are bills of attainder prohibited by the Constitution. *See United States v. Lovett*, 328 U.S. 303, 315 (1946); *see also Cummings v. State of Missouri*, 71 U.S. 277 (1866). Similarly, Article 24 of the Massachusetts Declaration of Rights states that “[l]aws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.” In other words, ex post facto (retroactive) ordinances that punish actions that were not prohibited when they were committed – like residing within a certain distance from a school – and/or actions that have already been punished under a different law – the Commonwealth’s sex offender laws – are unconstitutional. Removing Section D(4) of the Sex Offender Ordinance therefore makes it less likely that the ordinance would be overturned as unconstitutional.

Still, even with the foregoing amendments, the Sex Offender Ordinance is ripe for a challenge under *Doe v. Lynn*, and prevailing against such a challenge would be an up-hill battle.

5.1.1



Document
CITY OF HAVERHILL
In Municipal Council

FEB 20 AM 9:04
HAUCTYCLERK

Ordered:

MUNICIPAL ORDINANCE

CHAPTER 189

AN ORDINANCE RELATING TO SEX OFFENDERS

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 189 of the Code of the City of Haverhill, as amended, being and is hereby further amended by adding the following:

§ 189-16 Sex Offenders

A. Findings and purpose.

- (1) The City of Haverhill recognizes that it has a compelling interest in protecting children from the threat of sexual abuse;
- (2) Due to a child's vulnerability, the City Council is compelled to take a protective role by adopting laws that are designed to protect the City's children from registered sex offenders;
- (3) Registered sex offenders continue to reside in direct proximity to public and private schools;
- (4) Without adequate protective ordinances at the local level, registered sex offenders will continue to move to buildings, domiciles or residences in proximity to schools; and
- (5) The City Council wishes to protect children in the education environment.

B. Intent and scope.

- (1) The City Council finds that sex offenders pose a significant threat to the health and safety of the community and especially to children, whose age and inexperience make them particularly vulnerable to the heinous and reprehensible acts of these offenders.

- (2) The rate of recidivism among sex offenders is high. Limiting the frequency of contact between registered sex offenders and areas where children are likely to congregate reduces the opportunity and temptation, and can reduce the risk of repeated acts against children.
- (3) After careful consideration, the City Council finds that this legislation is the most narrowly tailored means of limiting, to the fullest extent possible, the opportunity for registered sex offenders to approach or otherwise come in contact with children in places where children would naturally congregate, and that the protection of the health and safety of our children is a compelling governmental interest.
- (4) It is the intent of this § 189-16 to serve and to protect the City's compelling interest to promote, protect, and Improve the health, safety, and welfare of the citizens of the City by creating areas around locations where children regularly congregate in concentrated numbers wherein certain registered sex offenders are prohibited from loitering and establishing temporary or permanent residence.
- (5) By the enactment of this or any other legislation, the City Council understands that it cannot remove the threat posed to or guarantee the safety of children, or assure the public that registered sex offenders will comply with the mandates of this § 189-16. This § 189-16 is intended to create a civil, nonpunitive regulatory scheme in order to protect children to the extent possible under the circumstances and not as a punitive measure of any kind.
- (6) Registered sex offenders pose a clear threat to the children residing or visiting in the community. Because registered sex offenders are more likely than any other type of offender to re-offend for another sexual offense, the City Council of the City of Haverhill desires to impose safety precautions in furtherance of the goal of protecting the children. The purpose of this chapter is to reduce the potential risk of harm to children of the community by impacting the ability for registered sex offenders to be in contact with unsuspecting children in locations that are primarily designed for use by or are primarily used by children, namely, the grounds of a public or private school for children, a park, or other private or public recreational facility. The City of Haverhill desires to add location restrictions to such offenders where the state law is silent.
- (7) The City of Haverhill does not intend for this § 189-16 to affect a wholesale displacement of sex offenders from their residences.

C. Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

CHILD or CHILDREN — Persons under 18 years of age.

ESTABLISHING A RESIDENCE — To set up or bring into being a dwelling place or an abode where a person sleeps, which may include more than one location, and may be temporary, mobile or transitory, or by means of purchasing real property or entering into a lease or rental agreement for real property (including a renewal or extension of a prior agreement whether through written execution or automatic renewal).

PARK — Includes active and passive public land designated for recreational or athletic use by the City of Haverhill, the Commonwealth of Massachusetts, or other governmental subdivision, and located within the City of Haverhill.

PERMANENT RESIDENCE — A place where a person lives, abides, lodges, or resides for 14 or more consecutive days.

RECREATIONAL FACILITY — Includes, but is not limited to, a playground, a forest preserve, conservation area, jogging trail or running track, hiking trail, beach, water park, wading pool, soccer field, baseball field, football field, basketball court, or hockey rink.

REGISTERED SEX OFFENDER — Any person required to register as a sex offender pursuant to G.L. c. 6, § 178C, who is finally classified as a Level 2 or Level 3 offender pursuant to the guidelines of the Sex Offender Registry Board, and who has committed a sex offense against a child.

SCHOOL — Any public or private educational facility that provides educational instruction to children in grades Kindergarten through 12.

SEX OFFENDER and SEX OFFENSE — Shall have the same meaning as provided for in G.L. c. 6, § 178C.

TEMPORARY RESIDENCE — A place where a person lives, abides, lodges, or resides for a period of less than 14 consecutive days or 14 days in the aggregate during any calendar year, which is not the person's permanent address or place where the person routinely lives, abides, lodges, or resides and which is not the person's permanent residence; but "temporary residence" shall not include residence at a hospital or other acute care medical facility for fewer than 14 consecutive days or 14 days in the aggregate during any calendar year.

D. Residency Restrictions

- (1) **Prohibition.** A registered sex offender is prohibited from establishing a permanent residence or temporary residence within 1000 feet of any school.
- (2) **Evidentiary matters; measurements.** For purposes of determining the minimum distance separation, the distance shall be measured by following a straight line

from the outer property line of the permanent or temporary residence to the nearest outer property line of any school.

(3) Exceptions. A registered sex offender residing within 1000 feet of any school does not commit a violation of this section if any of the following apply:

a. The registered sex offender established the permanent residence prior to the effective date of this chapter, and:

- i. Permanent residence was established by purchasing the real property where the residence is established; or
- ii. Permanent residence was established through a valid, fixed-term, written lease or rental agreement, executed prior to the effective date of this chapter, the term of which has not yet expired.

b. The registered sex offender is a minor.

c. The school within 1000 feet of the registered sex offender's permanent residence was opened after the registered sex offender established the permanent residence.

E. Child Safety Zones

(1) Prohibitions.

a. A registered sex offender is prohibited from entering upon the premises of a school unless previously authorized specifically in writing by the school administration.

b. A registered sex offender shall not loiter on or within 1000 feet of any

property on which there is a school. Under this subsection, "loiter" means to enter or remain on property while having no legitimate purpose therefor or, if a legitimate purpose exists, remaining on that property beyond the time necessary to fulfill that purpose. No person shall be in violation of this subsection unless he or she has first been asked to leave a prohibited location by a person authorized to exclude the registered sex offender from the premises. An authorized person includes, but is not limited to, any law enforcement officer, any owner or manager of the premises, or principal or teacher, if the premises are a school.

(2) Exceptions.

- a. The prohibitions defined in this section shall not be construed or enforced so as to prohibit a registered sex offender from exercising his or her right to vote in any federal, state, or municipal election, or from attending any religious service.
- b. The prohibitions defined in this section do not apply to a registered sex offender's place of residence when such residence is excepted under this § 189-16.

F. Exemptions.

- (1) The provisions of this chapter shall not be applicable to registered sex offenders incarcerated in any facilities owned, maintained, and/or operated by the City of Haverhill.

G. Enforcement; map of prohibited areas.

- (1) The Haverhill Police Department shall be charged with the enforcement of this chapter.
- (2) A map depicting the prohibited areas shall be created by the City and maintained by the Haverhill Police Department. The City shall review the map annually for changes. The map and a copy of this chapter will be available to the public at the Haverhill Police Department and on the City's website.

F. Violations and penalties.

- (1) Any violation of this § 189-16 shall result in: a noncriminal fine not exceeding \$300 for a first violation; a noncriminal fine not exceeding \$300 for each additional violation of this provision. A registered sex offender commits a separate offense for each and every day or violation of this chapter.
- (2) First offense of any violation of this chapter by registered sex offender:

noncriminal fine of \$300 and notification to offender that he/she has 30 days to move.

- (3) Any subsequent offense of this § 189-16 by a registered sex offender: noncriminal fine of \$300 and notification to the offender's landlord, parole officer and/or probation officer, and the Commonwealth's Sex Offender Registry Board that the sex offender has violated a municipal ordinance.**



Document
CITY OF HAVERHILL
In Municipal Council

Ordered:

MUNICIPAL ORDINANCE

CHAPTER 189

AN ORDINANCE RELATING TO SEX OFFENDERS

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 189 of the Code of the City of Haverhill, as amended, being and is hereby further amended by adding the following:

§ 189-16 Sex Offenders

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- (2) Due to a child's vulnerability, the City Council is compelled to take a protective role by adopting laws that are designed to protect the City's children from registered sex offenders;
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- (4) Without adequate protective ordinances at the local level, registered sex offenders will continue to move to buildings, domiciles or residences in proximity to schools; and
- (5) The City Council wishes to protect children in the education environment.

B. Intent and scope.

- (1) The City Council finds that sex offenders pose a significant threat to the health and safety of the community and especially to children, whose age and inexperience make them particularly vulnerable to the heinous and reprehensible acts of these offenders.

- (2) The rate of recidivism among sex offenders is high. Limiting the frequency of contact between registered sex offenders and areas where children are likely to congregate reduces the opportunity and temptation, and can reduce the risk of repeated acts against children.
- (3) After careful consideration, the City Council finds that this legislation is the most narrowly tailored means of limiting, to the fullest extent possible, the opportunity for registered sex offenders to approach or otherwise come in contact with children in places where children would naturally congregate, and that the protection of the health and safety of our children is a compelling governmental interest.
- (4) It is the intent of this § 189-16 to serve and to protect the City's compelling interest to promote, protect, and Improve the health, safety, and welfare of the citizens of the City by creating areas around locations where children regularly congregate in concentrated numbers wherein certain registered sex offenders are prohibited from loitering and establishing temporary or permanent residence.
- (5) By the enactment of this or any other legislation, the City Council understands that it cannot remove the threat posed to or guarantee the safety of children, or assure the public that registered sex offenders will comply with the mandates of this § 189-16. This § 189-16 is intended to create a civil, nonpunitive regulatory scheme in order to protect children to the extent possible under the circumstances and not as a punitive measure of any kind.
- (6) Registered sex offenders pose a clear threat to the children residing or visiting in the community. Because registered sex offenders are more likely than any other type of offender to re-offend for another sexual offense, the City Council of the City of Haverhill desires to impose safety precautions in furtherance of the goal of protecting the children. The purpose of this chapter is to reduce the potential risk of harm to children of the community by impacting the ability for registered sex offenders to be in contact with unsuspecting children in locations that are primarily designed for use by or are primarily used by children, namely, the grounds of a public or private school for children, a park, or other private or public recreational facility. The City of Haverhill desires to add location restrictions to such offenders where the state law is silent.
- (7) The City of Haverhill does not intend for this § 189-16 to affect a wholesale displacement of sex offenders from their residences.

C. Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

CHILD or CHILDREN — Persons under 18 years of age.

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PARK — Includes active and passive public land designated for recreational or athletic use by the City of Haverhill, the Commonwealth of Massachusetts, or other governmental subdivision, and located within the City of Haverhill.

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D. Residency Restrictions

- (1) **Prohibition.** A registered sex offender is prohibited from establishing a permanent residence or temporary residence within 1000 feet of any school.
- (2) **Evidentiary matters; measurements.** For purposes of determining the minimum distance separation, the distance shall be measured by following a straight line

from the outer property line of the permanent or temporary residence to the nearest outer property line of any school.

- (3) Exceptions. A registered sex offender residing within 1000 feet of any school does not commit a violation of this section if any of the following apply:
- a. The registered sex offender established the permanent residence prior to the effective date of this chapter, and:
 - i. Permanent residence was established by purchasing the real property where the residence is established; or
 - ii. Permanent residence was established through a valid, fixed-term, written lease or rental agreement, executed prior to the effective date of this chapter, the term of which has not yet expired.
 - b. The registered sex offender is a minor.
 - c. The school within 1000 feet of the registered sex offender's permanent residence was opened after the registered sex offender established the permanent residence.

~~(4) Notice to move. A registered sex offender who resides on a permanent or temporary basis within 1000 feet of any school shall be in violation of this section and shall, within 30 days of receipt of written notice of the registered sex offender's noncompliance with this chapter, move from said location to a new location, but said location may not be within 1000 feet of any school. It shall constitute a separate violation for each day beyond the 30 days the registered sex offender continues to reside within 1000 feet of any school. Furthermore, it shall be a violation each day that a registered sex offender shall move from one location in the City to another that is within 1000 feet of any school.~~

E. Child Safety Zones

(1) Prohibitions.

- a. A registered sex offender is prohibited from entering upon the premises of a school unless previously authorized specifically in writing by the school administration.
- ~~b. A registered sex offender shall not enter a park or any other private or public recreational facility when children are present and approach, contact, or communicate with any child present, unless the registered sex offender is a parent or guardian of a child present in such park or any other private or public recreational facility.~~
- c. A registered sex offender shall not loiter on or within 1000 feet of any

property on which there is a school, ~~park, or any other private or public recreational facility~~. Under this subsection, "loiter" means to enter or remain on property while having no legitimate purpose therefor or, if a legitimate purpose exists, remaining on that property beyond the time necessary to fulfill that purpose. No person shall be in violation of this subsection unless he or she has first been asked to leave a prohibited location by a person authorized to exclude the registered sex offender from the premises. An authorized person includes, but is not limited to, any law enforcement officer, any owner or manager of the premises, or principal or teacher, if the premises are a school.

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- a. The prohibitions defined in this section shall not be construed or enforced so as to prohibit a registered sex offender from exercising his or her right to vote in any federal, state, or municipal election, or from attending any religious service.
- b. The prohibitions defined in this section do not apply to a registered sex offender's place of residence when such residence is excepted under this § 189-16.

F. Exemptions.

- (1) The provisions of this chapter shall not be applicable to registered sex offenders incarcerated in any facilities owned, maintained, and/or operated by the City of Haverhill.

G. Enforcement; map of prohibited areas.

- (1) The Haverhill Police Department shall be charged with the enforcement of this chapter.
- (2) A map depicting the prohibited areas shall be created by the City and maintained by the Haverhill Police Department. The City shall review the map annually for changes. The map and a copy of this chapter will be available to the public at the Haverhill Police Department and on the City's website.

F. Violations and penalties.

- (1) Any violation of this § 189-16 shall result in: a noncriminal fine not exceeding \$300 for a first violation; a noncriminal fine not exceeding \$300 for each additional violation of this provision. A registered sex offender commits a separate offense for each and every day or violation of this chapter.
- (2) First offense of any violation of this chapter by registered sex offender:

noncriminal fine of \$300 and notification to offender that he/she has 30 days to move.

- (3) Any subsequent offense of this § 189-16 by a registered sex offender: noncriminal fine of \$300 and notification to the offender's landlord, parole officer and/or probation officer, and the Commonwealth's Sex Offender Registry Board that the sex offender has violated a municipal ordinance.**



DOCUMENT

CITY OF HAVERHILL

In Municipal Council

ORDERED:

Municipal Ordinance

Chapter

An Ordinance Relating to Sex Offenders, that Chapter 189 of the Code Of the City Of Haverhill, as amend, being and is hereby further amended by adding the following: § 189-16 Sex Offenders

Since this Ordinance exceeds in length eight octavo pages of ordinary book print, in lieu of advertising, it is published by the City Council in a municipal bulletin, placed on file in the City Clerk's Office, and posted on the municipal bulletin in City Hall.

PLACED ON FILE for at least 10 days

Attest:


Katlin M. Wright, CMC, City Clerk

Kaitlin Wright

From: North of Boston <noreply@wave2adportal.com>
Sent: Monday, February 23, 2026 9:26 AM
To: CityClerk
Cc: cmacdonald@northofboston.com; Kaitlin Wright
Subject: Thank you for placing your order with us.

Warning! External Email. Exercise caution when opening attachments or clicking on any links.
THANK YOU for your notice submission!

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

Job Details

Order Number:
W0142001
Business Type:
All Other Public Notices
Notice Size:
Public Notices
Notice Estimate:
\$57.69
Referral Code:
Sex Offenders Ord. Amend.

Account Details

Haverhill Clerk
4 SUMMER ST STE 118
HAVERHILL, MA □ 01830
978-374-2312
cityclerk@cityofhaverhill.com
HAVERHILL CITY CLERK

Schedule for notice number W01420010

Thu Feb 26, 2026
Haverhill Gazette Public Notices
All Zones

CITY OF HAVERHILL In Municipal Council

ORDERED:
Municipal Ordinance Chapter
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PLACED ON FILE for at least 10 days Attest:
Kaitlin M. Wright, CMC, City Clerk
HG - Publication Dates

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This is an automated message, please do not reply to this e-mail. If you have any questions or concerns you may contact us toll-free at 800-681-6248.



Document

CITY OF HAVERHILL

In Municipal Council

Ordered:

MAR 13 AM 9:11
HAVCITYCLERK

MUNICIPAL ORDINANCE

CHAPTER 189

AN ORDINANCE RELATING TO SEX OFFENDERS

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 189 of the Code of the City of Haverhill, as amended, being and is hereby further amended by adding the following:

§ 189-16 Sex Offenders

A. Findings and purpose.

- (1) The City of Haverhill recognizes that it has a compelling interest in protecting children from the threat of sexual abuse;
- (2) Due to a child's vulnerability, the City Council is compelled to take a protective role by adopting laws that are designed to protect the City's children from registered sex offenders;
- (3) Registered sex offenders continue to reside in direct proximity to public and private schools;
- (4) Without adequate protective ordinances at the local level, registered sex offenders will continue to move to buildings, domiciles or residences in proximity to schools; and
- (5) The City Council wishes to protect children in the education environment.

B. Intent and scope.

- (1) The City Council finds that sex offenders pose a significant threat to the health and safety of the community and especially to children, whose age and inexperience make them particularly vulnerable to the heinous and reprehensible acts of these offenders.

- (2) After careful consideration, the City Council finds that this legislation is the most narrowly tailored means of limiting, to the fullest extent possible, the opportunity for registered sex offenders to approach or otherwise come in contact with children in places where children would naturally congregate, and that the protection of the health and safety of our children is a compelling governmental interest.
- (3) It is the intent of this § 189-16 to serve and to protect the City's compelling interest to promote, protect, and Improve the health, safety, and welfare of the citizens of the City by creating areas around locations where children regularly congregate in concentrated numbers wherein certain registered sex offenders are prohibited from loitering and establishing temporary or permanent residence.
- (4) By the enactment of this or any other legislation, the City Council understands that it cannot remove the threat posed to or guarantee the safety of children, or assure the public that registered sex offenders will comply with the mandates of this § 189-16. This § 189-16 is intended to create a civil, nonpunitive regulatory scheme in order to protect children to the extent possible under the circumstances and not as a punitive measure of any kind.
- (5) The City Council of the City of Haverhill desires to impose safety precautions in furtherance of the goal of protecting children. The purpose of this chapter is to reduce the potential risk of harm to children of the community in locations that are primarily designed for use by or are primarily used by children, namely, the grounds of a public or private school for children, a park, or other private or public recreational facility. The City of Haverhill desires to add location restrictions to such offenders where the state law is silent.
- (6) The City of Haverhill does not intend for this § 189-16 to affect a wholesale displacement of sex offenders from their residences.

C. Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

CHILD or CHILDREN — Persons under 18 years of age.

ESTABLISHING A RESIDENCE — To set up or bring into being a dwelling place or an abode where a person sleeps, which may include more than one location, and may be temporary, mobile or transitory, or by means of purchasing real property or entering into a lease or rental agreement for real property (including a renewal or extension of a prior agreement whether through written execution or automatic renewal).

PARK — Includes active and passive public land designated for recreational or athletic use by the City of Haverhill, the Commonwealth of Massachusetts, or other governmental subdivision, and located within the City of Haverhill.

PERMANENT RESIDENCE — A place where a person lives, abides, lodges, or resides for 14 or more consecutive days.

RECREATIONAL FACILITY — Includes, but is not limited to, a playground, a forest preserve, conservation area, jogging trail or running track, hiking trail, beach, water park, wading pool, soccer field, baseball field, football field, basketball court, or hockey rink.

REGISTERED SEX OFFENDER — Any person required to register as a sex offender pursuant to G.L. c. 6, § 178C, who is finally classified as a Level 2 or Level 3 offender pursuant to the guidelines of the Sex Offender Registry Board, and who has committed a sex offense against a child.

SCHOOL — Any public or private educational facility that provides educational instruction to children in grades Kindergarten through 12.

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D. Residency Restrictions

- (1) **Prohibition.** A registered sex offender is prohibited from establishing a permanent residence or temporary residence within 1000 feet of any school.
- (2) **Evidentiary matters; measurements.** For purposes of determining the minimum distance separation, the distance shall be measured by following a straight line

from the outer property line of the permanent or temporary residence to the nearest outer property line of any school.

(3) **Exceptions.** A registered sex offender residing within 1000 feet of any school does not commit a violation of this section if any of the following apply:

a. The registered sex offender established the permanent residence prior to the effective date of this chapter, and:

- i. Permanent residence was established by purchasing the real property where the residence is established; or
- ii. Permanent residence was established through a valid, fixed-term, written lease or rental agreement, executed prior to the effective date of this chapter, the term of which has not yet expired.

b. The registered sex offender is a minor.

c. The school within 1000 feet of the registered sex offender's permanent residence was opened after the registered sex offender established the permanent residence.

E. Child Safety Zones

(1) **Prohibitions.**

a. A registered sex offender is prohibited from entering upon the premises of a school unless previously authorized specifically in writing by the school administration.

b. A registered sex offender shall not loiter on or within 1000 feet of any

property on which there is a school. Under this subsection, "loiter" means to enter or remain on property while having no legitimate purpose therefor or, if a legitimate purpose exists, remaining on that property beyond the time necessary to fulfill that purpose. No person shall be in violation of this subsection unless he or she has first been asked to leave a prohibited location by a person authorized to exclude the registered sex offender from the premises. An authorized person includes, but is not limited to, any law enforcement officer, any owner or manager of the premises, or principal or teacher, if the premises are a school.

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- a. The prohibitions defined in this section shall not be construed or enforced so as to prohibit a registered sex offender from exercising his or her right to vote in any federal, state, or municipal election, or from attending any religious service.
- b. The prohibitions defined in this section do not apply to a registered sex offender's place of residence when such residence is excepted under this § 189-16.

F. Exemptions.

- (1) The provisions of this chapter shall not be applicable to registered sex offenders incarcerated in any facilities owned, maintained, and/or operated by the City of Haverhill.

G. Enforcement; map of prohibited areas.

- (1) The Haverhill Police Department shall be charged with the enforcement of this chapter.
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F. Violations and penalties.

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- (2) First offense of any violation of this chapter by registered sex offender:

noncriminal fine of \$300 and notification to offender that he/she has 30 days to move.

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Document
CITY OF HAVERHILL
In Municipal Council

Ordered:

MUNICIPAL ORDINANCE

CHAPTER 189

AN ORDINANCE RELATING TO SEX OFFENDERS

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 189 of the Code of the City of Haverhill, as amended, being and is hereby further amended by adding the following:

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- (4) It is the intent of this § 189-16 to serve and to protect the City's compelling interest to promote, protect, and Improve the health, safety, and welfare of the citizens of the City by creating areas around locations where children regularly congregate in concentrated numbers wherein certain registered sex offenders are prohibited from loitering and establishing temporary or permanent residence.
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16.5

Document # 20-A

Order- That the City Council on behalf of the City votes to authorize the Mayor to acquire, purchase, take by eminent domain or otherwise a certain parcel of land located at 309 East Broadway, Haverhill, MA 01830, and containing approximately 5.3 acres being shown as "lot 2", and permanent easement shown as "20' Wide Access & Utility Easement Area = 1,990 S.F." on that certain Plan of Land entitled "Plan of Land Located in Haverhill, Mass" dated January 8, 2025, and revised December 9, 2025, prepared by the Morin-Cameron Group, Inc. (the "Plan") appended hereto, under the care, custody and control of the Department of Public Works, Water Division, for water supply purposes, from Joyce E. Hill, for the amount of \$917,019.00; And further to authorize the Mayor to grant an access easement to the record owner of said property shown as "20' Wide Easement Area" on the Plan;" And further to authorize the Mayor to execute any and all documents and to take any other action necessary or convenient to carry out this."

**** requires a two-thirds majority vote**

IN CITY COUNCIL: February 10, 2026

Con't to March 10, 2026

9 YEAS, 0 NAYS, 2 ABSENT

Attest: Kaitlin M. Wright
Kaitlin M. Wright, CMC
City Clerk

IN CITY COUNCIL: MARCH 10, 2026
CON'T TO MARCH 17, 2026 9 YEAS, 1 NAYS, 1 ABSENT

ATTEST: Kaitlin M. Wright
CITY CLERK

5.4

MELINDA E. BARRETT
MAYOR



CITY OF HAVERHILL
MASSACHUSETTS

CITY HALL, ROOM 100
FOUR SUMMER STREET
HAVERHILL, MA 01830
PHONE 978-374-2300
FAX 978-373-7544
MAYOR@HAVERHILLMA.GOV
WWW.HAVERHILLMA.GOV

February 5, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

Re: Order to Authorize the Taking of Portion of 309 East Broadway

Dear Mr. President and Members of the City Council:

Attached please find an Order to Authorize the Taking of Portion of 309 East Broadway.

A two-thirds majority vote is required.

I recommend approval

Very truly yours,

Melinda E. Barrett
Mayor



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950
Phone 978.463.7700

www.mtclawyers.com

TO: CITY COUNCIL

FROM: JOSEPH RUOTOLO, JR., CITY SOLICITOR
LISA MEAD, CITY SOLICITOR

CC: CHRISTINE LINDBERG
ROBERT E. WARD

RE: EMINENT DOMAIN ON A PORTION OF 309 EAST
BROADWAY

DATE: JANUARY 30, 2026

Reference is made to the above-referenced matter. In that connection, I have attached the relevant City Council Vote authorizing the Mayor to act on behalf of the City and to execute the Order of Taking for a portion of the land located at 309 East Broadway. Please note, there is only one vote (Order). The Vote as written is the language for the vote. It should be read as:

"authorize the Mayor to acquire, purchase, take by eminent domain or otherwise a certain parcel of land located at 309 East Broadway, Haverhill, Massachusetts 01830, and containing approximately 5.3 acres being shown as "Lot 2", and a permanent easement shown as "20' Wide Access & Utility Easement Area = 1,990 S.F." on that certain Plan of Land entitled "Plan of Land Located In Haverhill, Mass" dated January 8, 2025, and revised December 9, 2025, prepared by the Morin-Cameron Group, Inc. (the "Plan") appended hereto, under the care, custody and control of the Department of Public Works, Water Division, for water supply purposes, from Joyce E. Hill, for the amount of \$917,019.00; And further to authorize the Mayor to grant an access easement to the record owner of said property shown as "20' Wide Easement Area" on the Plan;" And further to authorize the Mayor to execute any and all documents and to take any other action necessary or convenient to carry out this vote."

A two-thirds majority vote is required to adopt the Order of Taking.

Also, if approved by City Council, included hereto is the Order of Taking for the Mayor's signature.

Please let me know if you have any questions regarding the foregoing.

Millis Office
730 Main Street, Suite 1F
Millis, MA 02054

New Bedford Office
227 Union Street, Suite 606
New Bedford, MA 02740



Haverhill

Robert E. Ward, DPW Director
Phone: 978-374-2382 Fax: 978-521-4083
rward@haverhillma.gov

Date: January 30, 2026

To: The Honorable Melinda E. Barrett
Mayor of Haverhill

From: Robert E. Ward *R.E.W.*
DPW Director

Subject: 309 East Broadway – City Council Order and Order of Taking

Attached for your review and consideration is a proposed City Council Order (Order) to authorize the Mayor to acquire, purchase, take by eminent domain or otherwise property located at 309 East Broadway, Haverhill, Massachusetts. The property consists of approximately 5.3 acres identified as "Lot 2" on the referenced plan, along with associated easement rights, for water supply purposes for the amount of \$917,019.00, based on the attached appraisal of the subject property.

The purpose of this acquisition is to provide the City with a suitable location to site and construct a municipal well to augment the City's public water supply, strengthen long-term water system reliability, and improve resiliency during periods of drought and seasonal supply constraints. This property was identified through numerous geological studies, including the current work which involved a geological survey of the entire Merrimack River within the Haverhill boundaries, soil sampling, and test well installations.

If approved by the City Council, the Order will authorize the Mayor to execute the attached Order of Taking authorizing the taking under M.G.L. c. 79 and c. 40, §14, including the fee interest in Lot 2, a permanent access and utility easement for water transmission purposes and related water system infrastructure, and granting an access easement benefiting Lot 1, as shown on the referenced plan.

If the Order is acceptable, please forward to the City Clerk to include on the agenda for the next City Council meeting. Please note the Order requires a two-thirds vote for approval.

If you need additional information, please call or email me.

Attachments:

1. Proposed City Council Order – For City Council Approval
2. Order of Taking
3. Plan of Land
4. Appraisal for 309 East Broadway

Cc: Christine Lindberg, Chief of Staff, clindberg@haverhillma.gov
Josselyn Deleon-Estrada, Deputy Chief of Staff, jdeleon-estrada@haverhillma.gov
Lisa Mead, Mead, Talerman & Costa LLC, lisa@mtclawyers.com
Joseph Ruotolo, Mead, Talerman & Costa, LLC, joe@mtclawyers.com
John D'Aoust, Water Treatment Plant Manager, jdaoust@HaverhillMa.gov
Mathew Snell, Nutter, McClennen & Fish, LLP, MSnell@nutter.com
Mathew Connolly, Nutter, McClennen & Fish, LLP, mconnolly@nutter.com

	<p style="text-align: center;">Document</p> <p style="text-align: center;">CITY OF HAVERHILL</p> <p style="text-align: center;">In Municipal Council</p>	
---	---	--

ORDERED:

HAU CITY CLRK FEB 8'26 10:14

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

CITY OF HAVERHILL

**HAVERHILL CITY COUNCIL ORDER TO AUTHORIZE THE TAKING OF PORTION
OF 309 EAST BROADWAY**

At a regularly convened meeting of the City Council of the City of Haverhill, held on the ___ day of _____, 2026, it was voted as follows:

That the City Council of the City of Haverhill, duly elected, qualified, and acting as such, on behalf of the City votes to authorize the Mayor to acquire, purchase, take by eminent domain or otherwise a certain parcel of land located at 309 East Broadway, Haverhill, Massachusetts 01830, and containing approximately 5.3 acres being shown as "Lot 2", and a permanent easement shown as "20' Wide Access & Utility Easement Area = 1,990 S.F." on that certain Plan of Land entitled "Plan of Land Located In Haverhill, Mass" dated January 8, 2025, and revised December 9, 2025, prepared by the Morin-Cameron Group, Inc. (the "Plan") appended hereto, under the care, custody and control of the Department of Public Works, Water Division, for water supply purposes, from Joyce E. Hill, for the amount of \$917,019.00;

And further to authorize the Mayor to grant an access easement to the record owner of said property shown as "20' Wide Easement Area" on the Plan;

And further to authorize the Mayor to execute any and all documents and to take any other action necessary or convenient to carry out this vote.

YEAS: _____

NAYS: _____

ABSENT: _____

PASSED IN COUNCIL: _____

A True Record, Attest:

Date Approved

Kaitlin M. Wright, City Clerk

Melinda E. Barrett, Mayor

ORDER OF TAKING FOR
MAYOR'S EXECUTION

	<p>Document</p> <p>CITY OF HAVERHILL</p> <p>By the Mayor</p>	
---	---	--

COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

CITY OF HAVERHILL

ORDER OF TAKING

The Mayor of the of the City of Haverhill, duly elected, qualified, and acting as such, on behalf of the City and by virtue of and in accordance with the authority provisions of Massachusetts General Laws Chapter 79 and 40, Section 14, and every other power and authority which is hereunto in any way enabling, does hereby take, on behalf of the City of Haverhill and under the care, custody and control of the Department of Public Works, Water Division, for water supply purposes, the fee ownership in the land with the buildings thereon, if any, in a certain parcel of land located at 309 East Broadway, Haverhill, Massachusetts 01830, and containing approximately 5.3 acres being shown as "Lot 2" on that certain Plan of Land entitled "Plan of Land Located In Haverhill, Mass" dated January 8, 2025, and revised December 9, 2025, prepared by the Morin-Cameron Group, Inc. (the "Plan"), recorded herewith, meaning and intending to include all rights, title and interest extending from the top of bank of Lot 2 to the mean low water mark of the Merrimack River;

And further hereby takes a permanent access and utility easement shown on the Plan as "20' Wide Access & Utility Easement Area = 1,990 S.F." for the purposes of constructing, operating, and forever maintaining water transmission pipes.

All of said land identified above is owned or supposed to be owned by Joyce E. Hill by a deed recorded in the Essex South Registry of Deeds in Book 12514, Page 522.

Any and all trees and structures located upon the easement taken are included in this taking, except as may be specifically excluded herein.

Contemporaneously with this Order of Taking, the City of Haverhill hereby grants an access easement to said Joyce E. Hill, her successors and assigns across the property herein taken shown as "20' Wide Easement Area = 1,119 S.F." for access to and from the Merrimack River for the benefit of "Lot 1" as shown on the Plan.

Excepted from the rights herein taken by the City are all easements of record for wires, pipes, conduits, poles, and other appurtenances for the conveyance of water, sewage, gas, oil, electricity, cable television transmission, and telephone communications lawfully in or upon said land. Except as noted herein, this taking includes any and all interest in the lands described above, as may be currently held by the owners of the abutting lots.

Except as noted herein, this taking includes any and all interest in the lands described above, as the City Council voted to award damages sustained by the owner of said property, to Joyce E. Hill in accordance with the provisions of G. L. c. 79, Section 6, as amended in the amount of \$917,019.00, the current record owner of the property that is the subject of this taking.

End of Text

Signature Page Follows

Approved as to form.

Grantor: City of Haverhill

City Solicitor

By: _____

Name: Melinda E. Barrett, Mayor
City of Haverhill

Essex, ss

COMMONWEALTH OF MASSACHUSETTS

On this _____ day of _____, 2026 before me, the undersigned notary public, personally appeared Melinda E. Barrett, as Mayor of the City of Haverhill Massachusetts, to this notary personally known to be the person whose names is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily, in the capacity indicated, and has the authority to sign in that capacity.

Notary Public:

My Commission Expires:

FOR RECORD USE ONLY



NOTES

1. ORIENTATION IS TO MASS BOUNDARY 5° 10' 00" N.
2. THIS SURVEY IS WITH A CORRECTION TO OWNERSHIP OF THE SUBJECT PROPERTY. THE SURVEY IS THE PROPERTY OF THE SURVEYOR AND THE OWNERS OF THE COMMUNITY AND IS A SEPARATE SURVEY. THE INTENT OF THE PLAN IS TO STRENGTHEN THE OWNERSHIP OF THE SUBJECT PROPERTY BY THE SURVEYOR AND TO CORRECT THE OWNERSHIP OF THE SUBJECT PROPERTY TO THE SURVEYOR. ALL DISTANCES ARE MEASURED TO THE CENTER OF THE SURVEYED POINTS.
3. INFORMATION IS SHOWN FOR COMPLIANCE WITH THE MERRIMACK RIVER ACT AND THE MERRIMACK RIVER REGULATIONS. THE MERRIMACK RIVER ACT IS A FEDERAL LAW AND THE MERRIMACK RIVER REGULATIONS ARE REGULATIONS OF THE MERRIMACK RIVER COMMISSION. THE MERRIMACK RIVER COMMISSION IS A FEDERAL AGENCY AND THE MERRIMACK RIVER REGULATIONS ARE REGULATIONS OF THE MERRIMACK RIVER COMMISSION.
4. THE MERRIMACK RIVER ACT AND THE MERRIMACK RIVER REGULATIONS ARE FEDERAL LAWS AND REGULATIONS. THE MERRIMACK RIVER ACT IS A FEDERAL LAW AND THE MERRIMACK RIVER REGULATIONS ARE REGULATIONS OF THE MERRIMACK RIVER COMMISSION. THE MERRIMACK RIVER COMMISSION IS A FEDERAL AGENCY AND THE MERRIMACK RIVER REGULATIONS ARE REGULATIONS OF THE MERRIMACK RIVER COMMISSION.

REFERENCES PLANS

1. PLAN DATED 04/15/2021 TO CORRECT THE OWNERSHIP OF THE SUBJECT PROPERTY TO THE SURVEYOR AND TO CORRECT THE OWNERSHIP OF THE SUBJECT PROPERTY TO THE SURVEYOR.
2. PLAN DATED 04/15/2021 TO CORRECT THE OWNERSHIP OF THE SUBJECT PROPERTY TO THE SURVEYOR AND TO CORRECT THE OWNERSHIP OF THE SUBJECT PROPERTY TO THE SURVEYOR.
3. PLAN DATED 04/15/2021 TO CORRECT THE OWNERSHIP OF THE SUBJECT PROPERTY TO THE SURVEYOR AND TO CORRECT THE OWNERSHIP OF THE SUBJECT PROPERTY TO THE SURVEYOR.

REFERENCES DEED

1. DEED DATED 04/15/2021 TO CORRECT THE OWNERSHIP OF THE SUBJECT PROPERTY TO THE SURVEYOR AND TO CORRECT THE OWNERSHIP OF THE SUBJECT PROPERTY TO THE SURVEYOR.

NOTES

1. CERTIFY THAT THIS PLAN COMPLIES WITH THE MERRIMACK RIVER ACT AND THE MERRIMACK RIVER REGULATIONS.

APPROVAL UNDER THIS SURVEYOR'S CONTROL

DATE: _____

BY: _____

COMMISSIONER OF REGISTRATION OF DEEDS

APPROVAL UNDER THIS SURVEYOR'S CONTROL

DATE: _____

BY: _____

COMMISSIONER OF REGISTRATION OF DEEDS

APPROVAL UNDER THIS SURVEYOR'S CONTROL

DATE: _____

BY: _____

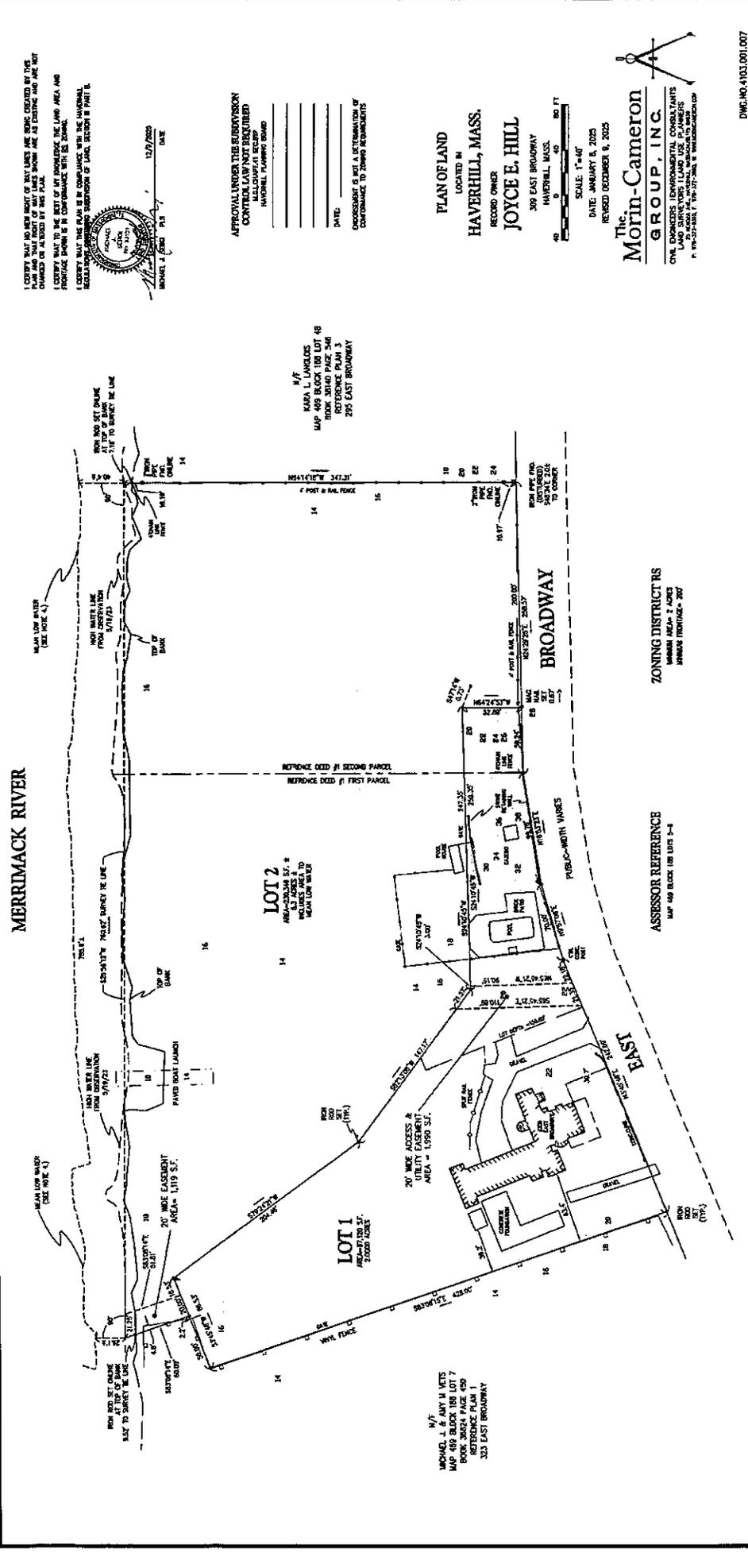
COMMISSIONER OF REGISTRATION OF DEEDS

APPROVAL UNDER THIS SURVEYOR'S CONTROL

DATE: _____

BY: _____

COMMISSIONER OF REGISTRATION OF DEEDS



PLAN OF LAND
LOCATED IN
HAVERHILL, MASS.
RECORD OWNER
JOYCE E. HILL
309 EAST BROADWAY
HAVERHILL, MASS.SCALE: 1"=40'
DATE: JANUARY 8, 2025
REVISED: OCTOBER 9, 2025

The Morin-Cameron GROUP, INC.
CIVIL ENGINEERS / ENVIRONMENTAL CONSULTANTS
LAND SURVEYORS / LAND USE PLANNERS
P.O. BOX 100, 175 STATE ST., WENDELL, MASS. 01985

APPROVAL UNDER THIS SURVEYOR'S CONTROL

DATE: _____

BY: _____

COMMISSIONER OF REGISTRATION OF DEEDS

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NOTES

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COMMISSIONER OF REGISTRATION OF DEEDS

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DATE: _____

BY: _____

COMMISSIONER OF REGISTRATION OF DEEDS

Petersen LaChance Regan Pino, LLC
Real Estate Services

**REAL ESTATE
APPRAISAL REPORT**

A Dwelling on 7.3± Riverfront Acres

LOCATED AT

309 East Broadway
Haverhill, Massachusetts

PREPARED BY

William A. LaChance, MAI, SRA

Petersen LaChance Regan Pino, LLC

Real Estate Services

John G. Petersen, MAI, SRA
William A. LaChance, MAI, SRA
John A. Regan, MAI
Richard K. Pino, MAI

May 7, 2025

Mathew Snell, Esquire
Nutter, McClennen & Fish LLP
155 Seaport Boulevard
Boston, Massachusetts 02110

Re: Approximately 7.3± riverfront acres with improvements that include a single-family dwelling, located at 309 East Broadway in Haverhill, Massachusetts.

Dear Mr. Snell:

At your request, I respectfully submit the attached Appraisal Report, which sets forth my opinion of the market value of the above-referenced subject property, also referred to as the larger parcel, before and after a taking by the City of Haverhill for a public well project.

The subject is a large dwelling in generally poor condition on a large riverfront parcel having the potential for division into three riverfront lots, one of which could contain the dwelling. The taking consists of 5.3 acres in fee less a permanent river access easement retained by the remainder property that consists of a potential two-acre lot improved by the dwelling and subject to a permanent water main easement across 2,000 square feet (SF) of the remainder lot.

After conducting the necessary research and analysis, as of April 28, 2025, it is my opinion that the market value of the larger parcel in fee simple before the taking is \$1,800,000 and the market value of the remainder property after the taking is \$885,000. Damages to the subject as a result of the taking are \$917,019 as the difference between the values before and after are rounded. There is no special benefit to the remainder.

Petersen LaChance Regan Pino, LLC

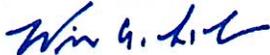
Real Estate Services

John G. Petersen, MAI, SRA
William A. LaChance, MAI, SRA
John A. Regan, MAI
Richard K. Pino, MAI

Summary of Damages	
Value Before the Taking	\$1,800,000
Value of the Taking	
Fee less 1,650 SF easement in 5.3 Acres	\$864,872
Permanent Easement	\$4,147
Improvements (fence and ramp)	\$3,000
Sub-Total	\$872,019
Severance	\$45,000
Special Benefits	\$0
Damages	\$917,019
Value After-Calculated	\$882,981
Value of the Remainder, Called	\$885,000

My opinion of value and the attached Appraisal Report are intended for use solely by my clients, Matthew Snell and the City of Haverhill, and if necessary, the court. The values expressed herein are subject to the assumptions and conditions listed within this report.

Respectfully submitted,



William A. LaChance, MAI, SRA
Petersen LaChance Regan Pino, LLC
Massachusetts Certified General Appraiser
License No. 497

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Addenda

- Qualifications of Appraiser
- Subject Deed and Recorded Plans
- Soils Map

Summary of Important Facts and Conclusions

Property Description

Address	309 East Broadway, Haverhill
Type	Two abutting deeded parcels comprising a larger parcel of 7.3± riverfront acres with improvements that include a 5,467 SF dwelling whose original portion was constructed in 1921, with additions made in 1970-1980.
Ownership	Joyce E. Hill
Zoning	99%± RS-Rural Special Residential and 1%± RR-Rural Density Residential

Appraisal Assignment

Purpose	To provide my opinion of the subject's market value before and after a taking.
Intended Use	In conjunction with the taking.
Intended Users	My clients, Matt Snell and the City of Haverhill, and the court if necessary.
Interest Appraised	Fee simple, as encumbered before and after the taking.
Effective Valuation Date	April 28, 2025, the date of my personal inspection of the subject property made from on-site and at the dwelling's exterior.

Highest and Best Use

Before: As if vacant, development as three riverfront house lots. As improved, repair and use of the dwelling on one lot and dwelling development of the two additional riverfront house lots.

After: - As if vacant, development as one house lot. As improved, capital repair and continued use of the dwelling on one lot.

Valuation Approach

Sales Comparison Approach

Petersen LaChance Regan Pino, LLC
Real Estate Services

Final Opinion of Damages	\$917,019
Estimated Exposure Period	This is the time necessary to have passed to achieve a sale at my opinion of value. I estimate this period as less than one year.
Extraordinary Assumptions	<ol style="list-style-type: none">1. The plans of the subject and the taking, the description of the rights to be taken, and the method and timing of construction described herein were provided to me by the client and the city's contract engineers. I assume this information to be reasonably accurate.2. I relied partially upon my inspection of the building's interior in April of 2018, and also my current building exterior observations, site inspection, and building permit research.3. The assessing map indicates the subject is 8.0 acres and the assessing record card and assessment indicate 6.82 acres. I relied on enclosed 2025 plan of The Morin-Cameron Group, Inc. that indicates 7.3 acres, including a narrow swath of land under the river.
Hypothetical Conditions	In order to develop the value opinion "after" I assumed that the taking had occurred on the valuation date. This condition is necessary to the valuation process.
Non-Realty Components of Value	None.

Appraisal Problem and Scope of Analysis

The problem in this assignment was finding sales of riverfront dwellings that were sufficiently comparable to the subject to be useful in support of an opinion of the dwelling's value. The subject is a large dwelling for Haverhill and it is unusual in its design as it has sections of different ages and architectural styles. Also, the dwelling is in disrepair and most sale dwellings are in superior condition. Ultimately, I was able to find adequate data to support my opinion.

In April of 2018 in the presence of Jill and Meredith Hill, I made an appraisal inspection of the subject that included the interior of the dwelling. The city attempted to make a negotiated acquisition of the sought-after real property rights several years. In 2020 and 2023 I appraised the subject relying on inspections made from off-site, public information, and some description and photographs drawn from a client-provided report by LandVest. After receipt of permission from my client as authorized by the owner's counsel, I made a personal inspection of the site and an exterior inspection of the dwelling on April 28, 2025. An interior inspection was not allowed. I was informed that there was agreement between the parties regarding the size and shape of the remainder lot. However, there is no agreement on a sale and I have been informed that there may be a taking, which is the cause of this report.

I viewed the subject's neighborhood, read the subject's outstanding deed, and reviewed its recorded plans and municipal data including building permits. I viewed client-provided project information and plans and discussed the project with the City's Deputy DPW Director Water/Wastewater Division, its Conservation Agent, and an engineer at Wright-Pierce. I examined pertinent sections of the Zoning Ordinance, the FEMA, Zoning, NRCS (soils), and MassMapper maps, and aerial photographs on Google Earth. I relied upon current project plans prepared by Wright-Pierce and on a Plan of Land of Joyce E. Hill prepared by The Morin-Cameron Group, Inc., dated 1/8/2025.

I evaluated general market demand, performed highest and best use analyses, and established the subject property's relation to competitive properties. The valuation methodology applied is the Sales Comparison Approach, and I inspected the comparable sales, reviewed their deeds, plans or assessing maps, and confirmed the data with knowledgeable participants

to the transactions such as a participating broker, grantor, or grantee. I developed an opinion of the subject's market value before the taking and of the part taken, severance, and special benefits. I also developed an opinion of the subject's market value after the taking as test of reasonableness for my concluding opinion of damages. This Appraisal Report is intended to conform to Standard Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice (USPAP) as established by the Appraisal Standards Board.

Real Property Rights Appraised

The property rights appraised consist of the fee simple interest in the larger parcel, as encumbered in the outstanding deed and described herein "before", and, for its two-acre remainder "after" as additionally affected and encumbered by the taking.

Fee Simple Estate - "A fee simple estate represents an absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."¹

Easement - "The right to use another's land for a stated purpose."²

Market Value - "The highest price which a hypothetical willing purchaser would pay to a hypothetical willing vendor in an assumed free and open market."³ In this report, the value estimate is in US dollars.

Larger Parcel – "That tract or those tracts of land that possess a unity of ownership and have the same, or an integrated, highest and best use."⁴

Extraordinary Assumptions and Hypothetical Conditions

This appraisal is subject to the Extraordinary Assumptions and Hypothetical Conditions listed next and the Assumptions and Limiting Conditions presented after the Final Opinion of Damages. The USPAP defines an extraordinary assumption as: An assignment-specific assumption as of the effective date regarding uncertain information used in analysis which, if found to be false, could alter the appraiser's opinions or conclusions." The extraordinary assumptions made herein are as follows.

¹ *The Appraisal of Real Estate*, 14th Edition, (Chicago: Appraisal Institute, an Illinois Not for Profit Corporation, 2013), p. 59.

² *The Dictionary of Real Estate Appraisal*, 6th Edition, (Chicago: Appraisal Institute, 2015), p.71.

³ *Epstein v. Boston Housing Authority* (1945) 317 Mass. 297.

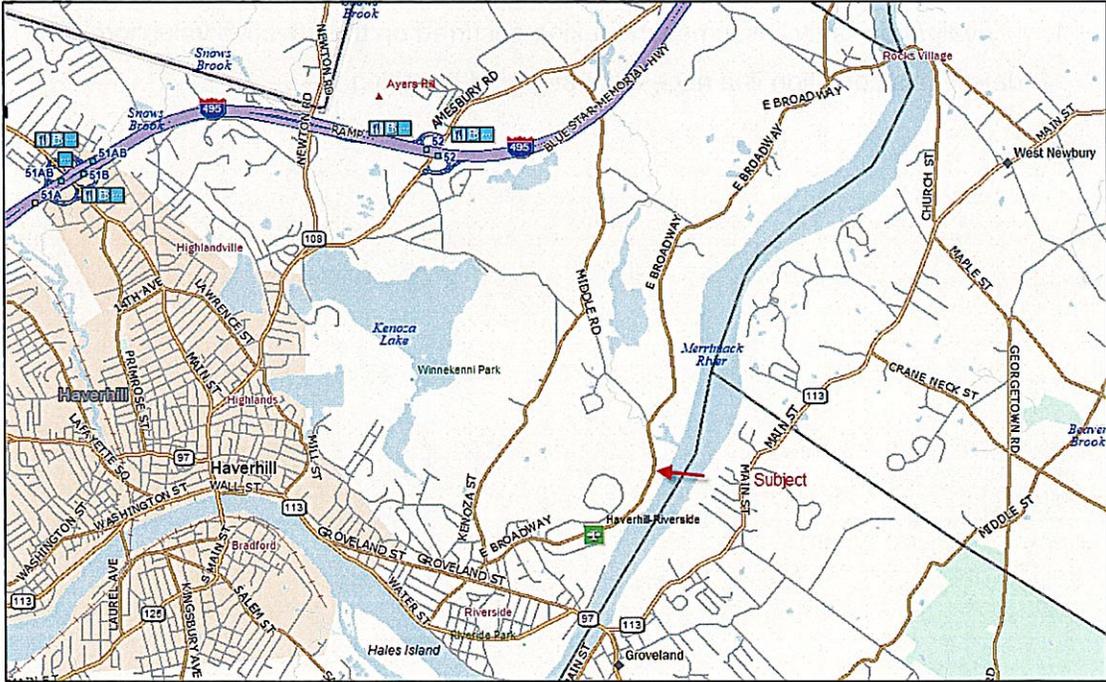
⁴ *Uniform Appraisal Standards for Federal Land Acquisitions*, (The Appraisal Foundation, 2016), p.16.

1. The plans of the subject and the taking, the description of the rights to be taken, and the method and timing of construction described herein were provided to me by the client and the City's contract engineers. I assume this information to be reasonably accurate.
2. I relied partially upon my inspection of the building's interior from April of 2018, and also on my current observations made from my on-site inspection, from the building's exterior, and on my building permit research.
3. The assessing map indicates the subject is 8.0 acres and the assessing record card and assessment indicate 6.82 acres. I relied on 1/8/2025 plan of the Morin-Cameron Group, Inc. that indicates 7.3 acres, including a narrow swath of land located east of the riverbank and extending to mean low water.

The Uniform Standards of Professional Appraisal Practice (USPAP) defines a hypothetical condition as: "that which is contrary to what exists but is supposed for the purpose of analysis". In this report, one hypothetical condition was necessary.

1. My valuation "after" assumes the taking occurred on the effective valuation date. This condition is a necessary step in developing the value.

Location Maps



Economic and Market Area Descriptions

In order to curb a spike in inflation during the pandemic, interest rates that were at historic lows prior to July 2022 were doubled and the 2024 inflation rate declined to 2.9%. GDP, which is about 70% consumer spending, has increased steadily since Quarter 3 of 2020. The national unemployment rate is low, at 4.1%. The US economy was strong in early 2025. However, there is growing uncertainty regarding the full impact of federal job layoffs and tariffs recently imposed by the U.S. The result to date has been a 6.8% decline in the DJIA from its all-time peak and a larger decline in consumer confidence in current business and labor market conditions. If uncertainty persists, especially given the historically negative impact of tariffs, economic conditions could worsen.

Massachusetts exhibits a more stable than average economic base due to its diversified industries (i.e. financial, health care, biotech, education), and high barriers to entry. Despite higher mortgage rates, because the North Shore market has performed well over the long term, builders and users are continuing to seek residential real estate for development or occupancy.

The following chart reveals the historic movement of key rates.

Current and EOY Economic Indicators					
	4/28/25	2024	2023	2022	2021
Prime Rate	7.50%	7.50%	8.50%	7.50%	3.25%
U.S. 10-Yr T-Note	4.20%	4.60%	3.88%	3.80%	1.60%
U.S. 5-Yr T-Note	3.80%	4.40%	3.84%	4.00%	1.30%
Corporate Bonds (Baa)	6.10%	5.78%	5.48%	5.50%	3.40%
Dow Jones Ind. Avg.	40,228	42,534	37,700	33,147	36,629
30-Year Res. Mortgage	6.25%	6.50%	6.63%	6.00%	3.10%
Consumer Confidence	86.0	109.5	110.7	106	115.2

Source: Appraisal Institute, FRED, Wall Street Journal, Institution for Savings

Municipality

The city of Haverhill is located in Essex County along the border with New Hampshire, approximately 37 miles north of Boston. Access to Haverhill via Route 495 is good as there are multiple interchanges located within the city. Public transportation includes two commuter rail stations with service to Boston’s North Station and several regional bus routes provided by the Merrimack Valley Regional Transit Authority.

Haverhill's income and demographic profile by ESRI is presented in the following chart.

Summary	Census 2010	Census 2020	2024	2029
Population	60,879	67,787	68,744	70,773
Households	24,150	26,696	26,862	27,431
Families	15,177	16,833	16,472	16,734
Average Household Size	2	3	3	3
Owner Occupied Housing Units	14,884	15,728	16,003	16,608
Renter Occupied Housing Units	9,266	10,968	10,859	10,823
Median Age	38.4	39.7	40.2	41.5

Trends: 2024-2029 Annual Rate	Area	State	National
Population	0.58%	0.22%	0.38%
Households	0.42%	0.44%	0.64%
Families	0.32%	0.34%	0.56%
Owner HHs	0.74%	0.80%	0.97%
Median Household Income	2.42%	2.10%	2.95%

Median Household Income			\$82,370	\$92,811
Average Household Income			\$108,174	\$124,767
Per Capita Income			\$42,300	\$48,388

The city's population is 68,879±, a 12% increase since 2010, which is a rate similar to Essex County as a whole. The median household income (MHI) is \$82,370, versus \$97,800 for the county and \$99,644 for the state. The labor force is approximately 32,000 with an unemployment rate of 5.4%, which is above the 4.3% and 4.4% rates for the county and state. Published rates⁵ at which public students are at least proficient in math and reading are 27%± versus 43%± for Amesbury and 51%± for Pentucket Regional, which serves West Newbury, Groveland, and Merrimack.

Haverhill has a significant industrial base comprised of modern buildings located in industrial parks accessed from its I-495 interchanges. The downtown area has a handful of shopping and dining options and multiple old factories have been converted to loft apartments; however, some old buildings are still underutilized.

⁵ Niche

The approximately 26,000 housing units in Haverhill exhibit a 96%± occupancy rate, with 62% of occupied units being owner-occupied. Approximately 10% of the housing units are “affordable.” Detached single-family dwellings account for approximately 40% of total housing units. The following exhibit presents summary data for new and used single family home sales in Haverhill.

Haverhill New & Used Single Family Sales		
<i>Year</i>	<i>No. of Sales</i>	<i>Median Price</i>
<4/25	36	\$565,000
2024	300	\$560,000
2023	283	\$525,000
2022	412	\$480,000
2021	520	\$450,750

Source: MLS

Median single-family price climbed strongly during the pandemic and slower more recently, while transaction volume declined. Using data from properties sold through the MLS, the median price from 2023 through 4/2025 increased just 7.6%, or an average of 2.5% per year. Using data from Banker & Tradesman, which includes all sales in Haverhill, the median price increase averaged 6.9% for three most recent years, with a higher rate in 2021. It is noteworthy that in the first quarter of last year the appreciation rate was low at about 1% as it is this year, yet it ended higher form the year.

Haverhill New & Used Dwelling Sales		
<i>Year</i>	<i>Median Price</i>	<i>Change</i>
2024	\$550,000	+5.8%
2023	\$520,000	+8.3%
2022	\$480,000	+6.5%
2021	\$450,750	+12.7%
2020	\$400,000	

Source: Banker & Tradesman

The following chart presents the average price solely for new homes in Haverhill. As shown, the city-wide average price in 2025 has been \$839,296. Because the average dwelling size was similar, the trend in sale price per SF is a good indicator, and it increased an average of approximately 6.2% per year from 2022 to 2025. Based upon the data, I estimate prices of single-family dwellings in Haverhill have been increasing at an average of 7.0%± per year from 2023 to 2025.

Petersen LaChance Regan Pino, LLC

Real Estate Services

Haverhill New Single Family Sales				
Year	No.	Avg. Price	Avg. SF	Avg. \$/SF
<4/25	7	\$839,296	2,408	\$362
2024	8	\$825,067	2,315	\$359
2023	7	\$748,433	2,281	\$331
2022	20	\$718,571	2,393	\$305
2021	17	\$672,151	2,550	\$271

Source: MLS

Currently, there are 26 new and used detached single-family homes listed for sale in Haverhill. The average list price is \$793,408 or \$350 per SF. The average dwelling size is 2,397 SF, and the typical lot size is 0.45± acres. There are four new dwellings listed for sale in the MLS; the average size is 2,230 SF, and the average asking price is \$963,450, or \$444 per SF. The days on market have increased since 2024.

The following summary of house lot sales data excludes those sold as “potential” lots and others that were large tracts. From 2021 through 4/2025, the average lot price increased 35+%. While the upward trend is clear, the small number of sales means the resulting percentage could have been influenced by one or two odd sales and is considered less reliable than the rates drawn from the greater number of dwelling sales. There are four house lots in Haverhill currently listed for sale in Multiple Listing Service, and their asking prices are \$94,000 to \$350,000. There is also a 20-acre parcel with two dwellings listed at \$1,200,000.

Haverhill House Lot Sales			
Year	No. of Sales	Avg. Acres	Avg. Price
<4/25	1	2.10	\$250,000
2024	7	0.76	\$268,200
2023	6	0.32	\$235,000
2022	5	0.85	\$223,800
2021	7	0.71	\$184,500

Source: MLS

In conclusion, Haverhill is distant from Boston and Route 128, which are the region’s prime locations for high wage jobs. Haverhill also lacks a strong presence in faster growing industries such as technology, biotech, and financial services that support higher median incomes at other communities in the state. Haverhill exhibits above average unemployment during economic downturns and a lower median household income than Essex County and

Massachusetts. While there are dramatic differences in its neighborhoods and prices, much of the city's real estate is rated as having somewhat below average desirability for Essex County.

Neighborhood

The subject's location is removed from downtown Haverhill and accessing Routes 495 or 95 takes about 15 to 20 minutes. The area is a rural-residential neighborhood in east Haverhill, whose most homogeneous portion extends along East Broadway from a point north of the Riverside neighborhood to historic Rocks Village. A small horse riding and boarding facility is located immediately north of the subject. Other dominant neighborhood features are the Merrimack River, scattered acres of unimproved land, the 18-hole Renaissance golf course (private) and its attached Overlook hilltop subdivision of single-family homes at Seven Sisters Road, the Meadowbrook Conservation Area, and the handful of estate-size riverfront homes located ¼ mile north of the subject. There are also two marinas, one large and one small located south of the subject. Although the Merrimack River is navigable to the ocean, it is a long distance partially having a posted speed of 5 miles per hour.

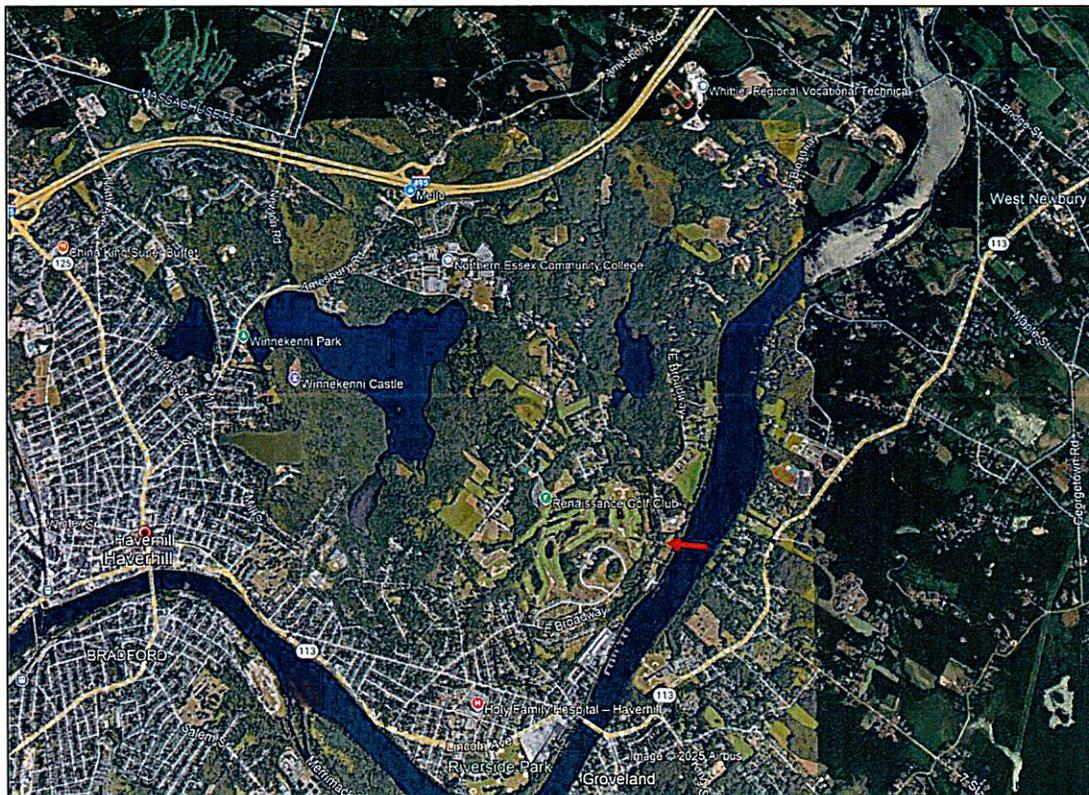
East Broadway is a public way with a 20' wide paved travel surface allowing a single lane of traffic each way, and it is improved with electricity, storm drains, and overhead lighting. The closest municipal sewer to the subject is 9/10 of a mile away at Old Ferry Road. There are bridges at Riverside and Rocks Village that cross the Merrimack River into the substantially residential towns of Groveland and West Newbury.

There have been 10 used single family dwellings located along East Broadway sold through the MLS in the past three years; prices were \$499,900 to \$1,240,000. Homes selling for up to \$775,000 exhibited a mix of styles and ages and had an average lot size of about one acre. The two highest price sales were 4±-acre lots with large Colonials built in 1978 and 1994, in good condition and having a boat dock. Sale prices in the subject's neighborhood were higher than in the city as a whole.

There have been three house lots sold through the MLS in this neighborhood in the last three years. Prices ranged from \$245,000 to \$265,000 for well-located 1±-acre lots to \$310,000 for a riverfront lot.

In general, the size, quality, and pricing of lots and homes increases as one travels northward along East Broadway from Riverside to a point about ¼ mile north of the subject where over the past 20± years several estate-size dwellings have been constructed on oversize riverfront lots. Lot sizes along the river can be large as they often contain a substantial amount of land in the flood plain. The subject's area of East Broadway contains the neighborhood's highest price dwellings. Continuing northward the neighborhood returns to having more typical size homes and sale prices.

Subject Location and Neighborhood Aerial



Source: Google Earth

Conclusions

Throughout Essex County, single-family dwelling demand has surpassed supply for at least the past five years. Housing prices in Essex County spiked during COVID (2020-early 2022) as mortgage rates were low and buyers relocating from in and near Boston added to demand. Current economic conditions are less favorable as mortgage rates have essentially doubled since their historic lows in 2022. The rate of residential real estate price increase is

slowing yet remains substantial and marketing periods remain short. Listing volume is low as sellers are not generally under pressure to sell; they do not want to exit a sub-4% mortgage, and they are having difficulty finding replacement property. Overall, the subject's residential real estate market has changed, yet local residential property brokers report continued strong demand and rising prices coupled with a general undersupply.

The combination of rural municipal characteristics, superior school ratings, and superior ocean and Route 95 access contribute to the riverfront neighborhoods in Amesbury, Merrimack, West Newbury, and Groveland being generally regarded by market participants as superior to riverfront locations in Haverhill. West Newbury in particular has the greatest market appeal of all the nearby municipalities. While high price (\$1,000,000+) single-family dwellings in Haverhill appeal to a narrower market than in most nearby municipalities, the subject's neighborhood is among the best in the city, and the river frontage, view, and low development density are favorable influences. The subject neighborhood's characteristics are not anticipated to materially change in the foreseeable future.

Project Overview

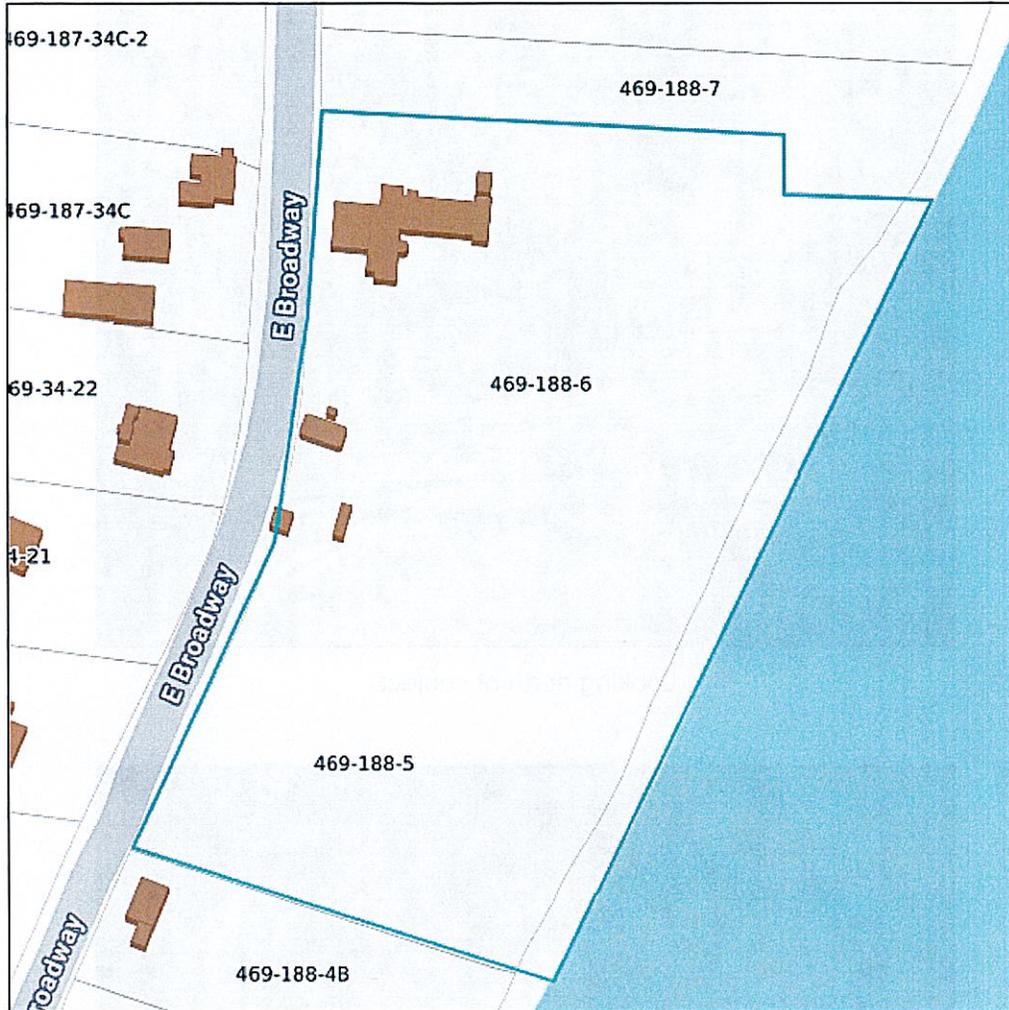
Haverhill currently obtains its public drinking water from multiple surface water sources. The city proposes to construct a well on the subject in order to harvest river water from 50' beneath the abutting Merrimack River via deep subsurface lateral pipes. According to the city's web site, "Preliminary water supply study efforts have concluded that the most feasible and cost-effective option is to develop a high yielding ground water supply. Since 2012 the city has been working on exploring various sites along the riverbank and is in the process of preparing to construct a large diameter test well that can eventually be transitioned to a public water supply well once all applicable testing and permitting is complete. This new ground water supply would be incorporated into the city's existing primary water supply reservoir system and eventually be utilized to increase the daily withdrawal limit of 7.1 million gallons per day."

It is this project that resulted in the request for this appraisal. The web site information is old, and this project has evolved over the years. More current and specific project design information is presented later in this report's Description of the Taking. I found no favorable or unfavorable influence on local real estate from the public's knowledge of this project.

Subject Aerial



Assessing Map
(Subject outlined in blue.)



The following subject photographs were taken on two different dates; the exterior photos of the dwelling and those of the site were taken on May 28, 2025, and as an interior inspection was not allowed more recently, the interior photographs were taken on 4/6/2018 as part of an earlier appraisal of the subject.

Subject Photographs – Taken by William LaChance - 4/28/2025



Looking north at subject.



Facing north from the front yard.

Subject Photographs – Taken by William LaChance - 4/28/2025



Facing south east at the dwelling.



The north wall of the garage and dwelling.

Subject Photographs – Taken by William LaChance - 4/28/2025



Facing the east side of the dwelling from the driveway.



Facing east the rear of the building. First floor garage and second floor MBR.

Subject Photographs – Taken by William LaChance - 4/28/2025



Front porch.



Front porch.



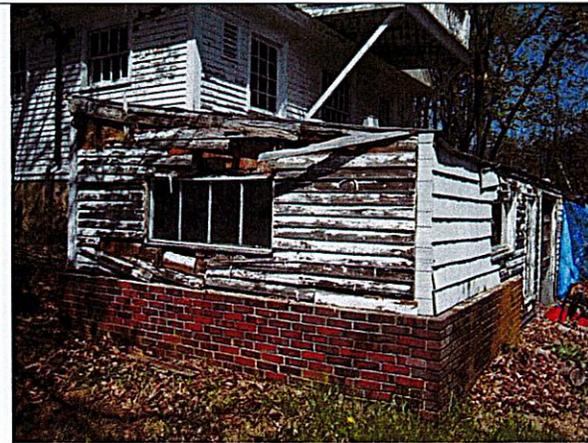
North side of dwelling.



North side of dwelling.

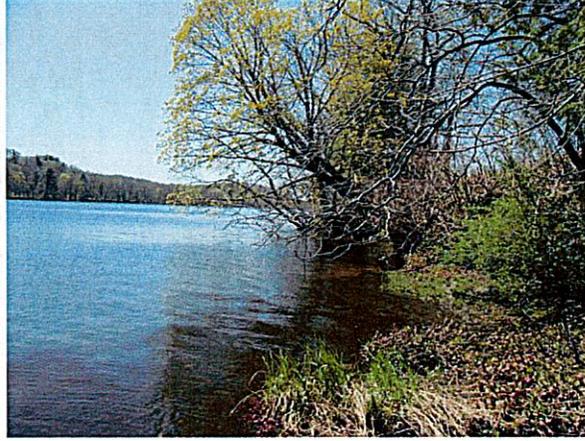


North side.



Attached shed/room at east side.

Subject Photographs – Taken by William LaChance - 4/28/2025

	
From near the boat ramp facing the house	From the driveway facing the river
	
Well test pipes near the river	From near the test pipes facing the house
	
Boat ramp	Facing south along the river from boat ramp

Subject Photographs – Taken by William LaChance - 4/28/2025



Pool near dwelling



NE riverfront. 80' old dock (personal prop).



SW frontage. Subject land at right.



Facing SW toward road from well area.

Subject Interior Photographs – Taken by William LaChance - 4/6/2018



The garden room.



Living room at original section.

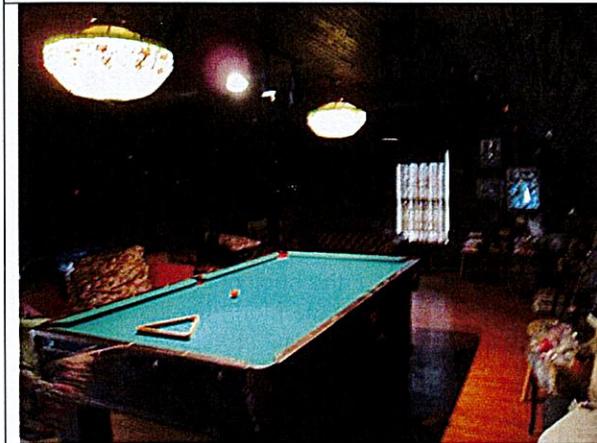
Subject Interior Photographs – Taken by William LaChance - 4/6/2018



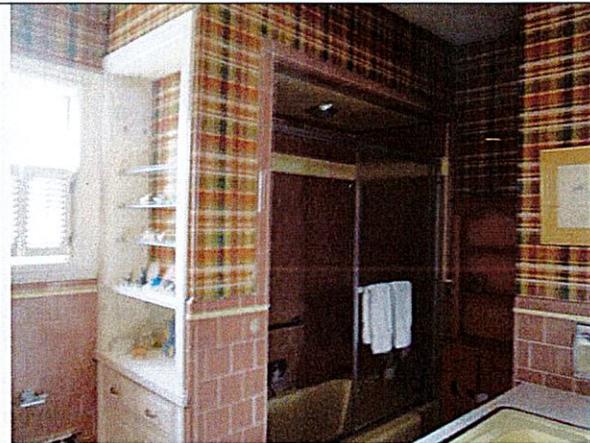
Seasonal room addition.



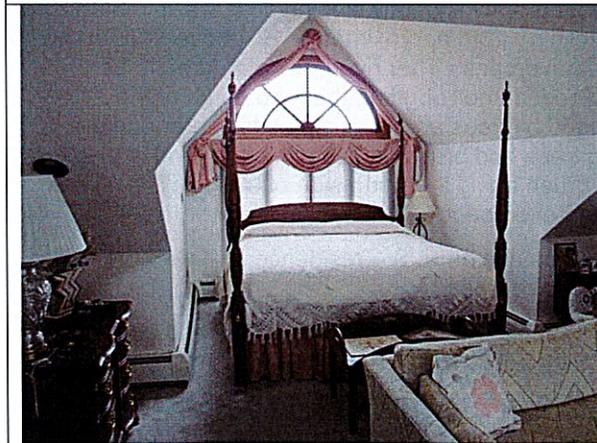
Dining room.



Game room on third floor.



Second floor bath.



Bedroom on second floor connector.



Former roof leak damage in the bedroom.

Subject Description

Identification and History

The subject is located at 309 East Broadway in Haverhill and is owned by Joyce E. Hill. The subject 7.3 acres constitutes what is known in real estate appraisals prepared for eminent domain as the larger parcel. The property was acquired in 1994 “for consideration paid” by a divorce court judgment. The subject property is further identified in the following exhibit and a copy of its outstanding deed is presented in this report’s Addenda.

Assessed M-B-L	Deed	Grantor	Grantee	Sale Date	Sale Price	Recorded Plans
469-188-6	12514/522	Howard D. Hill	Joyce E. Hill	4/6/1994	not listed	35/22A and 1954/558

The property is a single-family dwelling with its excess acreage in low intensity use. The subject property is not listed for sale, nor am I aware of any purchase contract or any offers other than those made by the city.

Site Description

***Dimensions,
Topography:***

Per the recorded plans found in the Addenda, the subject land is comprised of two deeded parcels. Based upon the Morin-Cameron plan, the land area is 7.3 acres, of which approximately 0.40± acres is tidal.

Records indicate 613.36’ of street frontage; however, Lighthouse Survey, a contractor to the city, provided a distance of 673.5’±, which I relied upon. There is approximately 770’ of Merrimack River frontage and parcel depth to the riverbank varies from 522’ at the north to 343’ at the south.

The site’s predominant topography is gently sloping downward from the road to the riverbank, declining from approximately 19’ above MSL at the road to 9’ at the top of the riverbank. The riverbank appeared to be 9’ to 12’ tall. The site has a wooded knoll abutting the road south of the dwelling. The land is ringed by trees and is a field at its center and an overgrown field in young trees and brush at its south. The land is also overgrown by trees and brush along the north side of the dwelling. The site has a good shape and average topography.

Abutting Uses:

N – residence and equestrian use barn, S – residence, E – river, W – road, residences, and a nearby golf course

Utilities:

The subject is served by a public water line and electricity and telephone lines from within the abutting public road. A public sewer main is not nearby in the neighborhood.

Sub-Soils:

According to the NRCS maps and *Soil Potential Ratings for Septic Absorption Fields*, the subject’s soils exhibit the following potential relative to septic system installation. The 275B soils are located near the road and they are very well suited to septic system installation. The northerly 60% of

the site is also within a medium yield aquifer and 95% of the site is rated as having Prime farmland soils. A chart of the subject's approximate area and soil characteristics is presented below and the NRCS soils map is in the Addenda.

Essex County, Massachusetts, Northern Part (MA605)					
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI	Soil Index and Restrictive Features	Typical Corrective Measures
	1 Water	0.2	3.10%		
96A	Hadley very fine sandy loam, 0 to 3 percent slopes	3.8	48.20%	Very Low. Frequent flooding, high water table, percs slowly	Larger than standard field, fill
257E	Hinckley and Windsor soils, 25 to 35 percent slopes	0.2	2.80%	Medium. Slope.	Smaller than standard field, fill, grading.
275B	Agawam fine sandy loam, 3 to 8 percent slopes	3.6	45.90%	Very high. None.	Smaller than standard field.
Totals for Area of Interest		7.9	100.00%		

Environmental: Quantification of any data concerning hazardous conditions is beyond the scope of this report; however, the subject is not listed on the DEP web site's list of known contaminated sites or locations to be investigated. No reportable conditions were observed at my appraisal inspection, yet given the building's age an inspection for asbestos and lead would be reasonable. According to a municipal representative, the subject's underground fuel tanks were removed intact.

Encumbrances, Appurtenances: The outstanding deed does not list any easements. The plan lists rights in a well and path to the river in favor of parties that are likely to be deceased.

Flood Zone, Wetland: The subject is extensively within the floodplain and partially within the floodway. Land closest to the road is in a minimal flood hazard zone. The site contains riverbank and a small amount of land (0.4± acres) of tidal land.

Improvements to the Site: A driveway; cesspool located in the AE flood plain; an 800± SF in-ground pool constructed in 1974; a 480 SF patio; 4' tall wood fencing, antique lighting; brick patios and walks; a 600± SF asphalt-surface boat ramp to the high-water line of the river and several granite stairs, and elaborate masonry work and sheds. Approximately 80' of old floating dock (personal property) tied to the NE corner of the waterfront is in poor condition. Other than the crushed stone driveway and some light posts and masonry work, the once high-quality improvements to the site are in poor to very poor condition and have reached or are near the end of their useful lives. As part of the project, the city has installed a series of test wells with visible pipes near the river.

Building Detail – using 2018 Interior Inspection

Size/Type:

The subject 2.5 story wood frame single-family dwelling was mostly constructed in 1921 and according to the city's sketch and my inspection has a gross living area (GLA) of 5,467 SF; this measure includes the partial third floor, which a large game room and small bedroom and a 465 SF first floor seasonal room added in 1970-1980, whose only heat source is a coal/wood stove yet whose level of finish is otherwise consistent with living area. The building's architecture exhibits elements of Colonial Revival plus additions built in 1970 to 1980. Overall, it is eclectic yet mostly Colonial.

Floor 2.5	570
Floor 2	2,245
Floor 1	2,652
GLA	5,467

The front 2½ story section and a formerly detached rear carriage house section were constructed in approximately 1921. A "connector" two-story section and seasonal room were constructed in 1970-1980. The dwelling is of wood frame with wood clapboard exterior over an 1,140 SF basement. The 2½ story original portion has a large front porch and includes a 1921 vintage passenger elevator with stops at each floor above grade. The former carriage house section has a two-car garage with three doors (one at north side), three horse stalls and a tack room, and 408 SF of attached unheated storage area.

Overall, the original portions of the building are of good quality, with good architectural detail and a number of features that denote its quality, such as the elevator, the living room stairs, fireplace, birch flooring, and 9' ceilings, the garden room's beadboard walls and ceiling, extensive wood trim, some large and curved windows, and small marble sinks in three of the four original bedrooms. However, the kitchen is small and outdated and the baths were last rehabilitated in 1970-1980. The overall interior condition varies from poor in the kitchen, baths, and sitting room, to average in the seasonal room and playroom.

The condition of the storage room at the east end of the carriage house warrants its removal. The building's exterior condition is poor. I observed extensive peeling paint likely to be lead-based, many rotted boards and gutters, a mostly old roof, a large number (nearly all) original single glazed windows with old aluminum storm sash and two half round shaped multi-pane windows in poor condition yet having recently added exterior storm sash. At two locations there are metal traps attached to the dwelling to catch or deter pests.

Overall, the dwelling exhibits substantial deferred maintenance throughout, which the interior photographs do not fully display. Considering the dwelling's general deterioration and lack of upgrading for decades, and its large size, it is in poor condition and the cost of its rehabilitation to market standard finish will be substantial.

Original Dwelling

First Floor

Based upon my 2018 interior inspection, this floor contains the garden room, a small sitting room, a large living room, the kitchen, a ½ bath, a dining room, and a seasonal room.

The garden room has quarry tile flooring and beadboard walls and ceiling. This is an attractive room whose interior is in good condition. The sitting room is small and in poor condition with a non-functional wood stove, partial wall covering, and an attached glass atrium to provide supplemental heat. The living room is of good quality and is in average condition; it is a large space with a wide staircase and a fireplace. The kitchen is small with 45+ year old wooden cabinets, vinyl floorcover and laminate counter tops. The dining room is in average condition and has built-in painted hutches, curved multi-pane windows in poor condition as described earlier, ample painted woodwork and other attractive elements. The seasonal room added in 1970-1980 is in average condition and is of post and beam design with a coal/wood stove, double-glazed windows, a full gable height exposed board ceiling, a small bar, and wide pine flooring. The room does not have central heat yet does have a wood stove.

Second Floor

The second floor is accessed by the living room stairs and by a narrow winding staircase off of the kitchen. There are four good-size bedrooms, one of which is accessed directly from the elevator. Each bedroom has a small sink, three of which are original and one is of 1970s vintage. One bedroom has curved windows and two walk-in closets, one with an old clothes hanger system. The wallcover is a mix of paint and paper. The windows need replacement and the full bath needs renovation. Otherwise, the condition is fair to average.

Third Floor

A stairway with a low clear height (5'6"±) leads to the attic, which is called a half-story due to its gable roof. This level contains one small bedroom with a low-quality finish and a large game room with beadboard walls and ceiling. The elevator, whose operating condition is unknown, also provides direct access to the game room.

Connector Section and former Carriage House

The two-story connector was added in 1970-1980, while the former carriage house section is from 1921.

First Floor

The living area is a playroom in good condition with a 12' ceiling height and an atrium window. Attached to this room is a two-car garage and attached to that is the original carriage house with its three horse stalls and a tack room, which are of good quality construction and are in good condition. An attached 408 SF enclosed storage area is in very poor condition that warrants its removal.

Second Floor

The second floor is accessed from a narrow stairway off of the kitchen. The floor plate does not align with the original section and the stairs are of irregular height. Another stairway located east of the garage doors extends from an exterior door. This floor contains a master bedroom and an attached bath. Several French doors face the yard. The bedroom is large and its ceiling and one wall were damaged (see photo) by a water leak. The full bath is in its original 1970-1980 build out with two sinks and a large glass walk-in shower; it is outdated and in poor condition. Two steps down above the carriage house is a hallway with large closets leading to an attached open sleeping area with a picture window and a small deck facing the river.

Exterior

The building's exterior is in poor condition with extensive peeling paint and many areas of wood rot. All but a few of the windows are original single glaze style and need replacement or extensive capital repair as window sashes, caulking, and some window frames exhibit advanced deterioration. The main roof's shingles are old, while the rubber connector roof may have been replaced. A rolled roof above the sitting and garden rooms was replaced four years ago.

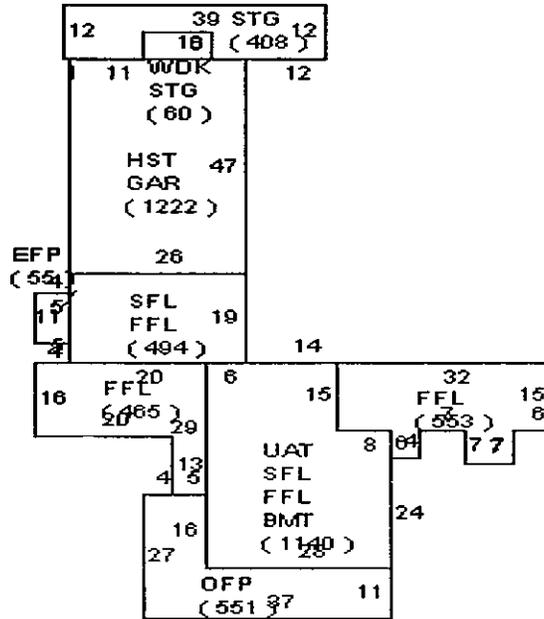
The basement contains two boilers and laundry hookups. The main electric service panel is modern as is a lot of wiring, yet there is still some live knob and tube wiring in the basement. Some heat pipes have a white insulation that should be examined by a heating expert.

Overall, while the quality of its original building sections and site improvements indicate that the subject was a high-end residence in its day, now, it needs capital repair across its exterior and interior. Also, the floor plan is of below average utility.

- Use Breakdown:** The room count is 13 rooms, 6 bedrooms, and 2.5 baths.
- Age/Occupancy:** Mostly 104 years (constructed mostly in 1921).
- Class:** Class D – Average to good, wood frame.
- Condition:** Mostly poor.
- Windows:** Mostly in very poor condition.
- Roof:** Mostly gable with asphalt shingles, new rolled roofing on garden and sitting rooms, and rubber membrane on connector section.
- Flooring:** High quality birch flooring in original section, vinyl in kitchen, and tile in baths. Wide pine boards in seasonal room, and mixed floor cover elsewhere.
- Heat:** FHW to radiators. A modern oil-fired boiler and gun serve the connector and carriage house, while an older boiler with a modern gun serve the original section. The underground fuel tanks were reportedly removed. There is also some heat gain from warm air provided by two glass atriums. Insulation could not be observed except in the 1970-1980 additions.
- Electrical Service:** Modern main service panel with circuit breakers. Some live knob and tube.

Outbuildings: A wood frame pool house of 192 SF constructed in 1984. A 64 SF greenhouse, two small sheds, one of which has collapsed. A gazebo with a collapsed roof.

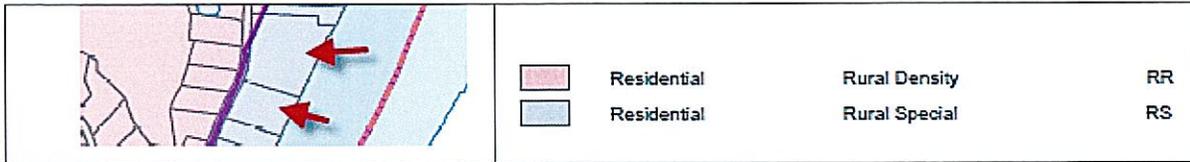
The assessing sketch is shown next.



Property Conclusions

The property is a large riverfront site improved with a large and mostly old dwelling in poor condition with good quality in its original sections, some attractive architectural features, and a rambling floor plan of less than average functional utility. The parcel has Prime agricultural soils and provides direct access to a navigable river, yet the dwelling's orientation does not fully capture the river view.

Zoning and Other Land Use Controls



District	Use	Minimum Lot Area (square feet)	Minimum Lot Area Required Per Dwelling Unit (square feet)	Minimum Lot Frontage ^a (feet)	Minimum Lot Depth (feet)	Front ^{a,b,c} (feet)	Side ^{a,b,d} (feet)	Rear ^a (feet)	Maximum Height ^e (feet)	Maximum Stories	Maximum Building Coverage (percent)	Maximum Floor Area Ratio (FAR)	Minimum Open Space (percent)
RS	Any permitted use	2 acres ¹⁵	NA	200	150	40	25	25	35	2.5	15	None	70
RR	Any permitted use ¹¹	80,000	NA	200	125	40	25	40	35	2.5	15	None	70

- Footnote 15 indicates that 2 acres is a base area upon which additional area will be required based upon the percolation rate.

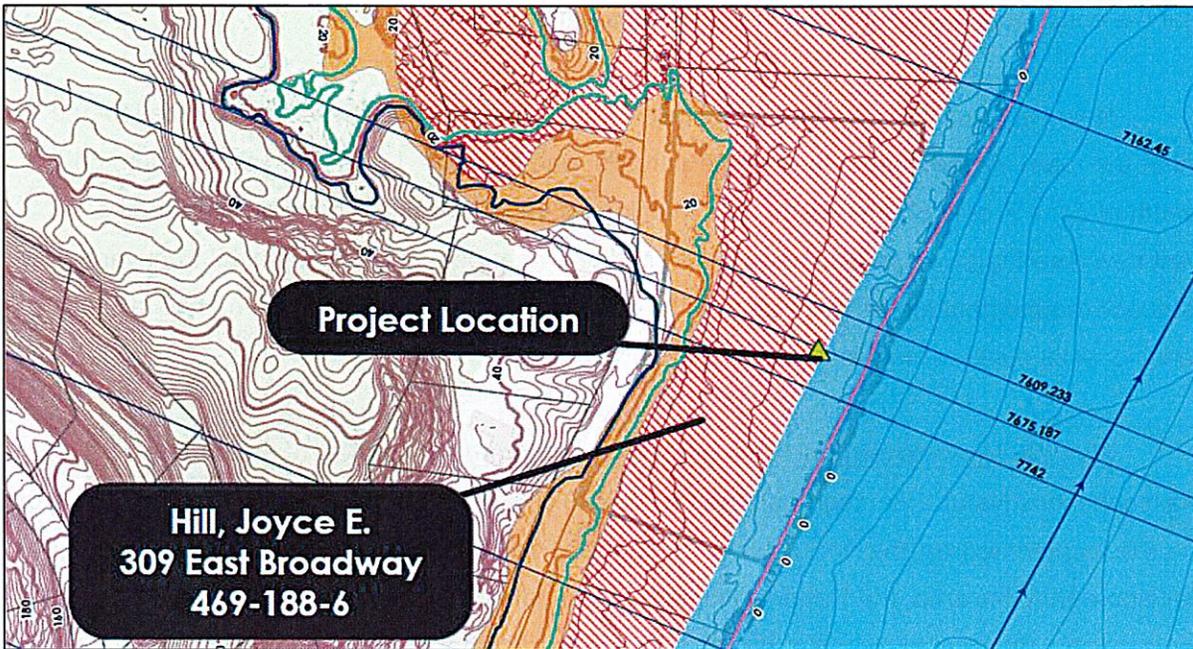
According to the 2024 Zoning Map, less than 5,000 SF of the subject land is located within the RR-Rural Density Residential District and the rest is located within the RS-Rural Special District. The very few uses allowed by right in the RS District include single-family dwelling, religious, nonprofit educational, golf course, governmental, essential services, and agricultural. The RR District also allows single-family dwelling use by right. A private water plant and/or commercial well are not listed as allowable uses in either district.

The subject property is in conformance with the above dimensional requirements, and its single-family use is allowed by right. The site does not have the land area to fulfill the requirement for a house lot within just the RR zone. Based upon my discussion with the Zoning Enforcement Officer, if a request for a variance to allow the creation of a house lot based upon the dimensions of the less restrictive RR district were presented to the Zoning Board of Appeals, the argument would be considered weak and the likelihood of its success is poor.

The subject's land area is insufficient to be considered for cluster or planned unit development as 15 acres is required. Also, according to the Zoning Ordinance, cluster developments must be served by public water and sewer systems.

Flood Plain According to the February 2, 2024 Revision (LOMR) of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map 25009C0094F, the riverbank and underwater areas are within Zone AE (Floodway), the easterly portion of the dwelling and the central fields are mostly within Zone AE, a 1% annual chance flood area with elevations delineated (formerly known as the 100-year flood plain), the westerly portion of the

dwelling and the upper field is within the combined 0.2% annual chance flood area or 1% annual chance flood area with average depths of less than one foot area called Zone X Shaded, and a narrow strip along the road is within Zone X, an Area of Minimal Flood Hazard. The LOMR moved the flood hazard zone somewhat towards the river⁶. Federal regulations allow construction in Zones X and X Shaded without flood insurance. A plan by Wright-Pierce appears below and the FEMA Map is in the Addenda.



Hill, Joyce E.
309 East Broadway
469-188-6

- ▲ Project Location
- River Cross Section
- Model River Flow Line
- Effective Regulatory Floodway
- 1% Annual Chance of Flooding
- 0.2% Annual Chance of Flooding
- Parcel
- Proposed
- Revised Regulatory Floodway
- Revised 1% Annual Chance of Flooding Area
- Revised 0.2% Annual Chance of Flooding Area
- Contour
- Major
- Minor

⁶ Amy Coppers, Wright-Pierce

The prospective locations of an added dwelling and septic system on this parcel are impacted by the flood plain whose flood elevation is shown as 17.8' on the above map. The cross-hatched floodway along the river must be kept free of encroachment. The 1% annual chance flood area cannot incur an increase in flood height, and if any filling is permitted, there must be mitigation in the form of new flood area created on site. There is a narrow potential compensatory storage area on site and Haverhill has a history of allowing construction in the flood plain under these conditions. Such new construction will require an engineer to certify that the construction will not result in any increase in flood levels.

New septic systems cannot be installed within Zone AE and therefore must be located near the road. At the bottom third of the parcel's road frontage, I measured a maximum 54' width of Zone X or X Shaded land. The middle and upper two thirds have greater depths. Any new dwelling(s) would also need to be sited near the road, and there is a 40' front yard setback requirement for the dwelling a 10' lot line setback for the septic system. Overall, one additional lot could comply and potentially two.

National Heritage and Endangered Species Program My review of the on-line Massachusetts Natural Heritage data on the MassGIS Oliver system indicated that the 50% ± of the site located nearest the river is within a mapped Priority Habitat of Rare Species. In order to develop within this area, the National Heritage and Endangered Species Program (NHESP) must reach a decision of "no take" by virtue of the development. According to Lauren Glorioso, a representative of the NHESP, it is rare that development is totally prohibited. The NHESP generally tries to collaborate with developers to allow building but with minimal impact upon endangered wildlife. Possible NHESP requirements generally include a limitation of development to certain times of the year, revisions to the development plan to preserve habitat, or creating a portion of the site that is permanently restricted from building or clearing. The major issue at the subject is bald eagle habitat, which is in the larger trees along the river. Cutting of these trees is not allowed and will result in a substantial fine and a two to one tree replacement requirement at the same location. As a consequence, any riverfront lots that are wooded to the extent that they do not provide river views are essentially limited to their current view. Though the subject parcel is mostly open, it is reasonable to expect that there will be a minor cost for a related study should an additional house lot(s) be created upon it.

Wetland The Massachusetts Wetlands Protection Act (MGL, c. 131, s. 40) and regulations promulgated in 310 CMR 10.00 governing activity in wetland resource areas apply. In addition, Haverhill also has its own supplemental ordinance. Important elements of the local ordinance include a 25-foot no-disturb area around wetland and a 50-foot "no build" setback. Other than the riverbank and tidal land, the MassGIS maps indicate that there is no wetland on the subject.

Rivers Protection Act The Rivers Protection Act went into effect on October 6, 1997, and defined the "riverfront area" as a new resource area with its own performance standards. The Act expands the jurisdiction of the state Wetlands Protection Act, Chapter 131, Section 40, by authorizing local Conservation Commissions to regulate land use activities within a newly established Wetland Resource Area known as the Riverfront Area. In summary, this area is defined as land within 200' of the mean annual high-water line of a river as measured outward horizontally. The Act defines river as a "natural flowing body of water that empties into any ocean, lake, or other river, and which flows throughout the year." The definition includes any perennial river or stream of any size yet excludes intermittent streams. The Merrimack River is perennial and the setback applies to the subject land.

I was informed by Haverhill's Conservation Officer that the Conservation Commission is "pretty rigid" regarding enforcement of the 200' setback on newly created lots or other developments and is more flexible for small accessory structures at long-established improved lots. However, there is a good likelihood that the installation of a new seasonal use floating dock would be allowed, including the components necessary to secure it to the shore. Docks tend to be removed in the off-season to avoid destruction by ice. An applicant would need to present the plan to the Harbormaster.

Title V (Septic) As there is no municipal sewer in the subject's area, any development of its land must employ a septic system. On November 24, 1987, the Haverhill Board of Health promulgated and adopted an amendment to 310 CMR 15.03 (7) of the State Environmental Code, Title 5: Minimum Standards for the Subsurface Disposal of Sanitary Sewage. Information regarding Title V and the local ordinance related to on-site septic systems for residential development is summarized as follows.

- Title V requires a leaching field that can accommodate 110 gallons/day per bedroom and at least 440 gallons total for single family homes.
- All systems must conform to the minimum setback distances for septic tanks and soil absorption systems, including reserve area, measured in feet.
- The minimum vertical separation distance of the bottom of the stone underlying the soil absorption system above the high ground-water elevation shall be: (a) four feet in soils with a recorded percolation rate of more than two minutes per inch; (b) five feet in soils with a recorded percolation rate of two minutes or less per inch.
- Systems serving new construction shall not be sited in areas with percolation rates slower than 60 minutes per inch (superseded by the zoning ordinance which does not allow systems where percolation rates are slower than 20 minutes per inch).

Minimum Lot Area Haverhill	
<i>Perc. Rate Per Inch</i>	<i>Lot Area (s.f.)</i>
0 to 5 mins.	87,120
5 mins. to 10 mins.	102,120
10 mins. to 15 mins.	117,120
15 mins. to 20 mins.	132,120
> 20 mins.	Unsuitable

Septic Tank	Feet	Leaching Field	Feet
bordering vegetated wetlands	25		50
surface waters	25		50
surface water supply	400		400
tributary to surface water supply	200		200
wetlands bordering surface water supply or tributary thereto	100		100
vernal pool	50		50-100
private well	50		100
property line	10		10
public well - Zone 1 radius	100-400		100-400

By local ordinance, all percolation and deep hole tests in the city of Haverhill must be conducted between March 1st and June 15th. The Conservation Agent confirmed that new septic systems must be located outside of the flood plain.

Subdivision Form C subdivision was found to be infeasible and additional discussion is not necessary. No water line extension or other roadway improvements are necessary if the land is used for an additional Approval Not Required (ANR) lot or lots.

Summary

The current use is allowed by right and the parcel's dimensions conform to zoning. The dwelling's setbacks are preceding non-conforming and part of the building is in the flood plain. The 200' setback line of the Rivers Protection Act essentially matches the extent of the Priority Habitat of Rare Species area, while the AE Zone of the flood plain extends farther toward the road. This redundancy of constraints results in little potential for material development other than a dock within the subject's 200' depth from the riverbank. Therefore, any division of the subject land will probably be as ANR lot(s) with their dwellings and other improvements, including their septic systems, located near the road.

Assessment and Annual Tax Load

The FY 2025 tax data is presented below. The assessed land area does not include tidal land. The tax burden has been fairly stable for three years. The total assessment is different than my value opinion, yet it appears to be equitable.

Subject Fiscal Year 2025 Assessment							
M - B - L	Acres	Land	Building	Yard Items	Total	Res. Tax Rate	Taxes
469-188-6	6.8	\$398,000	\$576,300	\$11,200	\$985,500	\$10.71	\$10,555

Highest and Best Use – Before the Taking

A prerequisite to a meaningful valuation is a sound estimate of the most profitable likely use of a property. Highest and best use may be defined as: "The reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity."⁷

Highest and best use is analyzed as if vacant and as improved.

⁷ *The Dictionary of Real Estate Appraisal*, 7th Edition, (Chicago: Appraisal Institute, 2022), pg. 88.

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If Vacant

The subject's zoning allows single family use and there are few other reasonably probable uses allowed by right. Private commercial well or water utility are not allowed by right or by special permit. My research indicates that a variance would not be granted and that a zoning change is a long involved process whose result is highly speculative. None of the riverfront lot sales found along both sides of the river from Haverhill to Route 95 were used to develop public or commercial wells. Therefore, I concluded that private commercial well use did not meet the requirement of reasonable probability and is a governmental right rather than a private right associated with the subject's ownership. The pattern of land use in this zone and in this neighborhood is clearly single-family, and this is the reasonably probable use of the subject parcel if vacant.

Development of the site is physically possible and any use that returns a positive value to the land is financially feasible. The delta between lot prices plus construction cost and value indicates that builders profit is sufficient to attract builders to compete with user-buyers for lot purchases. Land development of multi-lot parcels includes risk, capital, management, and more time for absorption than a single house lot. As a consequence, purchasers apply an allowance for entrepreneurial profit. Even so, I find that no other use that returns as high a value to the land, thereby indicating multiple (two or three) house lots and dwellings development is maximally productive.

The various required setbacks leave just a narrow band of land along the road as the area potentially suitable for septic systems. However, there is potential compensatory flood area at parcel's knoll. NRCS data support the conclusion that the soils will perc at a rate that does not require a larger lot than the minimally required one. Based upon my analysis of the zoning and other land use controls, and after a discussion with the Conservation Agent and the Building Commissioner, the land has the reasonably probable potential for use as three Approval Not Required (ANR) riverfront house lots with dwellings and septic systems located near the road.

I conclude that division for use as three similar riverfront house lots is the highest and best use as if vacant. Two of the dwellings will likely need hillside style foundations. All lots

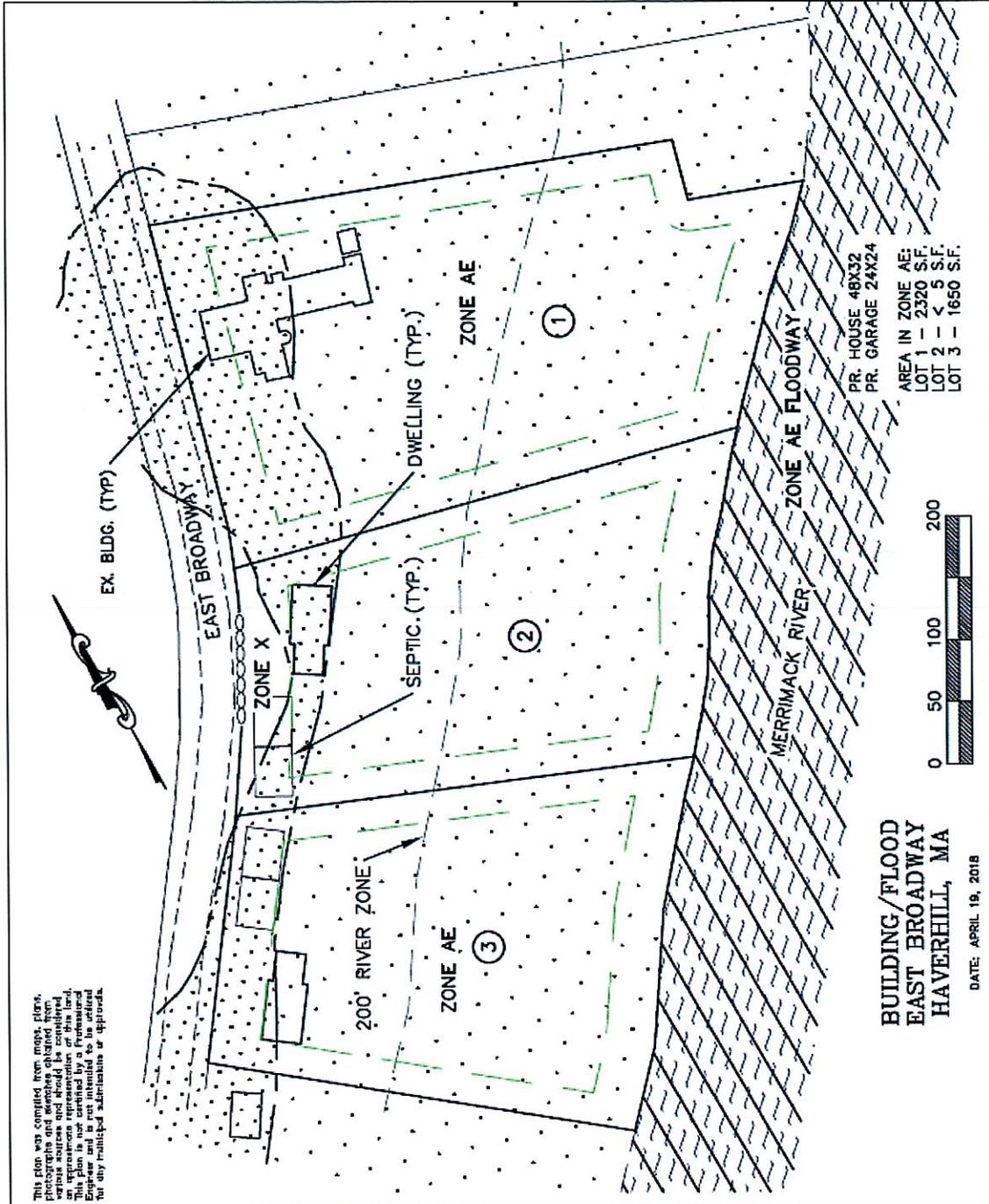
would offer a river view and the potential for individual docks yet more likely one shared seasonal dock.

As Improved

The subject property is not an estate whose value is superior by retaining the 7.3 acres as a single lot with the current dwelling. Instead, the property's value is greatest in use as three riverfront lots, one containing the current dwelling. The old pool and related yard items would be demolished. Therefore, the highest value for the subject is derived by creating three ANR lots, with one including the dwelling whose highest and best use is for continued use as a residence after capital repair. The boat ramp is on the middle lot and its use could be shared by all three lots.

The likely buyer of the subject property is a local builder or person with building experience, possibly as a user of the dwelling or one lot and as a re-seller of the other parcels, not a typical home buyer. The exposure and marketing times are estimated at less than one year. The following plan depicts my conclusion of the subject's highest and best use before the taking. There is some flexibility in the lot sizes; however, 2.43± acres each, of which 0.13± acres each is tidal area, is a reasonable allocation.

Conceptual Plan of Highest and Best Use
 (Approximate Layout)



Valuation Methodology

There are three generally accepted methods of appraising real estate: The Income Capitalization Approach, the Sales Comparison Approach, and the Cost Approach. The approach most likely to be relied upon by the subject's prospective buyers is the Sales Comparison Approach, which I applied before and after the taking. As a land value is necessary for valuation of the easement taking, I first valued the larger parcel as if vacant. Then, I valued the larger parcel as improved.

Sales Comparison Approach – Before

The Sales Comparison Approach is used to provide a market value indication by comparing the subject property with recent sales of similar properties, which in this instance includes several components. The major premise of this approach is that the market value of a property can be directly related to the prices of comparable, competitive properties. The five steps generally involved in this process are outlined below:

1. Identify recent sales of similar properties for which transaction data are known.
2. Verify the information regarding the arms-length nature of the comparable transactions and terms.
3. Compare the attributes of the subject property with those of the comparable properties and adjust for any differences that may have impacted sales price. Specific consideration should be given to issues of time, location, physical characteristics, conditions of sale and current yield data.
4. Identify a unit of comparison between the subject and comparable properties that allows inferences to be made regarding the probable sales price of the subject property.
5. Reconcile the various value indications produced from the analysis of comparable properties to a single value or value range.

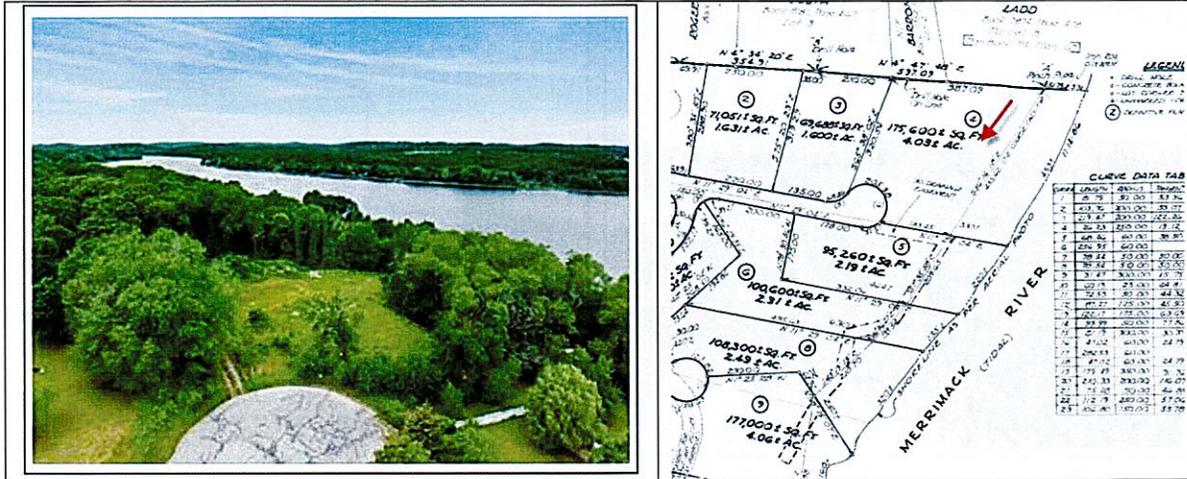
Valuation of the Larger Parcel Before the Taking As if Vacant

I conducted market research for land sales that could be divided into three riverfront house lots comparable to the subject's three 2.43-acre lots. As such sales could not be found, I made a comparative analysis of single riverfront lot sales to the subject's average 2.43-acre lot.

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This analysis resulted in a total or gross amount of value for the three lots, from which I then deducted the related costs and allowances. The result of subtracting the costs from the gross sales is the market value of the larger parcel as if vacant.

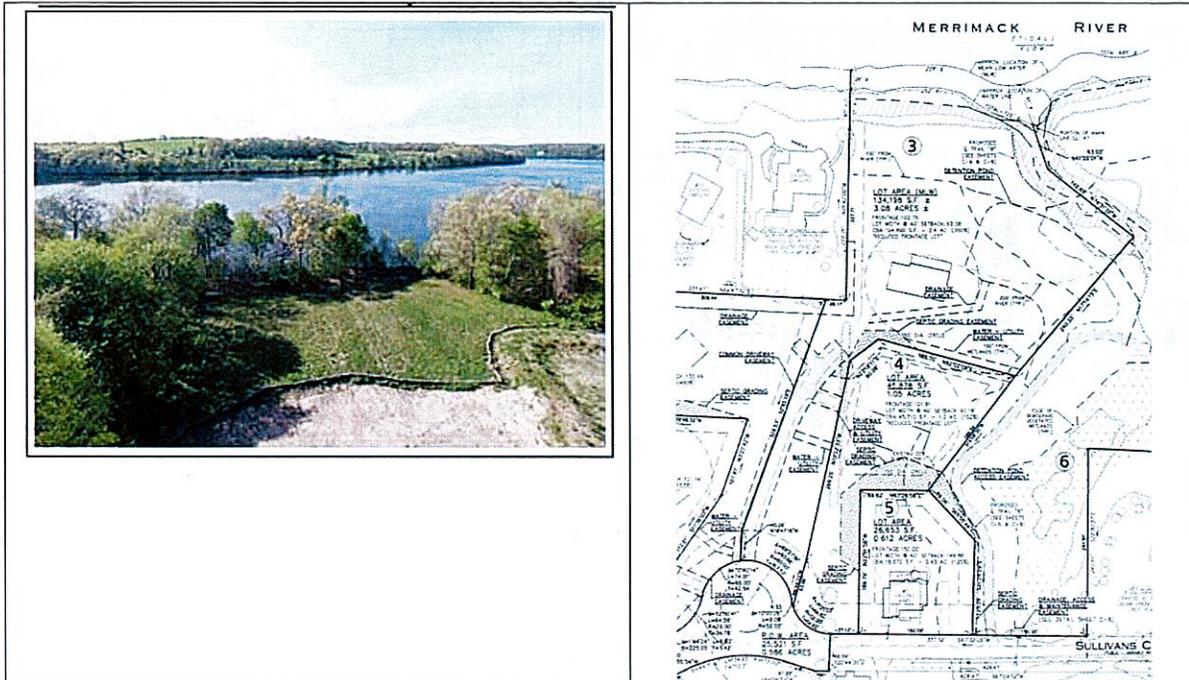
My search for Merrimack riverfront lot sales covered each side of the river from Haverhill to Amesbury and resulted in a number of useful sales that are summarized on the following pages. Although I personally inspected each sale, the MLS photographs taken about the time of sale and the Google Earth aerials were also generally superior to the images I could capture. Given the small number of recent sales, I utilized some that were local and old rather than those that were more recent yet in distant market areas.



Lot Sale 1

Address: 18 Norino Drive, West Newbury
 Grantor: David B. Miller and Katherine P. Miller
 Grantee: Kenneth and Linda Sutton
 Title Reference: Essex South Registry, Book 41999, Page 515
 Sale Date: 2/27/2024
 Sale Price: \$1,200,000
 Land Area: 4.03 acres
 Utilities: Water, electricity
 Sales History: Sold 11/16/2020 for \$760,000
 Financing: No mortgage recorded
 Rights Conveyed: Fee Simple
 Verification: Listing broker-Denise Olivares-Molina, deed, plan

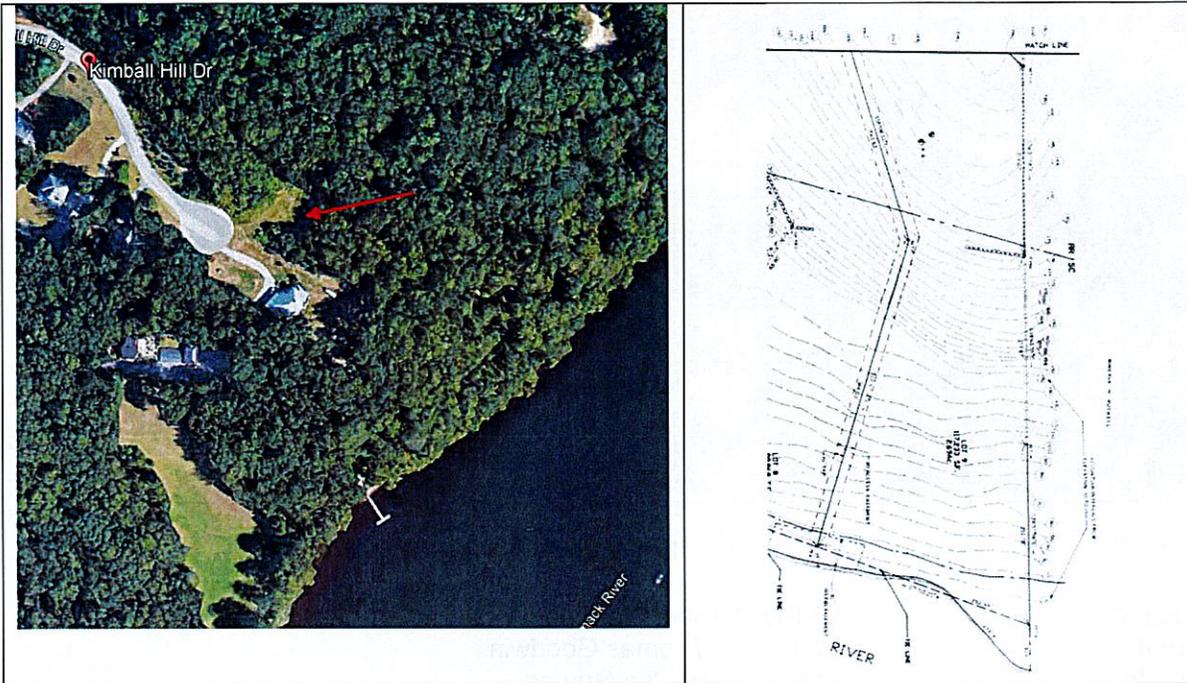
Comments: This is a large Merrimack River front lot located at the end of a cul de sac with light traffic in a neighborhood of 20- to 40-year-old high-priced dwellings. The lot has a large nearly level area that was cleared as a new dwelling site prior to this sale, plus a riverbank that leads to 453' of river frontage, including an area for which a permit for a deep-water boat dock was included with the sale. Also, included in the sale was a new cable railway system for motorized access/egress to the boat dock. A driveway had been roughed in and a riverfront retaining wall was added. The seller also installed a 10-bedroom septic system and included his plans for a 6,000 SF dwelling. The selling broker estimated the permits and site improvements cost \$450,000 and that the \$1,200,000 selling price did not fully cover this seller's \$760,000 purchase plus the cost of the added elements. The buyers are constructing a large dwelling and a dock. This sale's listing broker was also the selling broker in the \$760,000 sale.



Lot Sale 2

Address:	11 Sullivan's Court, West Newbury
Grantor:	Walker Development Corp.
Grantee:	John and Joanne McGrath
Title Reference:	Essex South Registry, Book 37351, Page 398
Sale Date:	2/27/2019
Sale Price:	\$485,000
Land Area:	3.08 acres
Utilities:	Water, electricity
Sales History:	No sales in the preceding three years
Financing:	No mortgage recorded
Rights Conveyed:	Fee Simple
Verification:	Listing broker-Wendy Willis, deed, plan

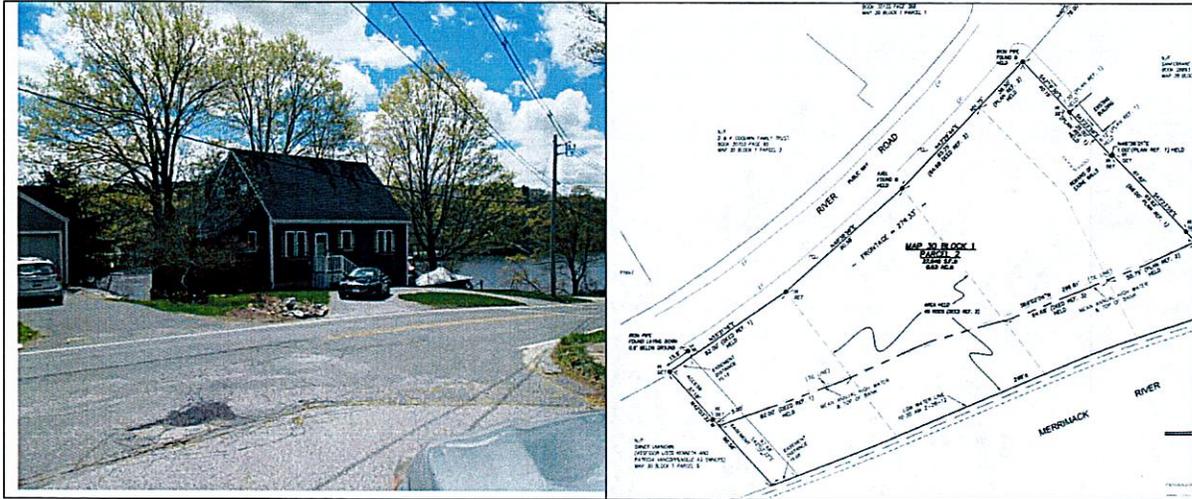
Comments: Shown above as Lot 3 on Plan 448/67, this is a large Merrimack riverfront lot at the end of a cul de sac in a modern, high price neighborhood. The lot has 228' of river frontage and is within a small subdivision of new homes. The lot provides river views across its field and is adjacent to conservation land. A new dwelling has been constructed. The lot is subject to common driveway and utility access easements and shares rights in Sullivan's Court, a trail, and a drainage area easement. The lot is also subject to an Order of Conditions related to wetland protection and the use of contaminants. \$10,000 in site preparation "upgrades" were included in the price.



Lot Sale 3

Address: 22 Kimball Hill Drive, Haverhill
Grantor: Joanne B. Kimball
Grantee: Nicholas B. Trefonides
Title Reference: Essex South Registry, Book 41265, Page 558
Sale Date: 10/26/2022
Sale Price: \$310,000
Land Area: 2.69 acres
Utilities: Electricity
Sales History: No sales in the preceding three years
Financing: \$232,500 First Federal Credit Union
Rights Conveyed: Fee Simple
Verification: Listing broker-Joanne Kimball, deed, plan

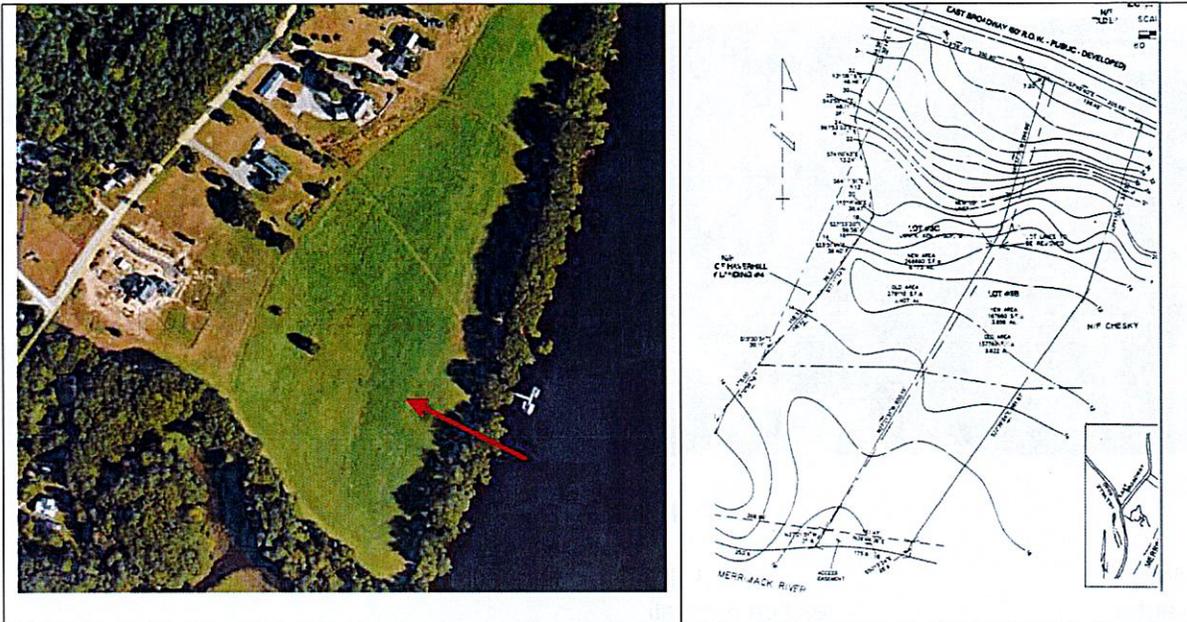
Comments: Lot 9 on Plan 223/76, this Merrimack riverfront lot includes a flat hilltop and a long sloping riverside to 253' of river frontage. The lot is subject to 20' and 30' wide access easements at the river that were shared with neighbors yet were overgrown and unused. The lot provides broad river and distant views from the dwelling setting. Kimball Hill Drive is a lightly traveled short cul de sac road that travels uphill from East Broadway. The sale included the potential for a dock and had a passing perc test.



Lot Sale 4

Address:	93 River Road, Merrimac
Grantor:	David and Thomas Goodwin
Grantee:	Stephen and Lisa Grimes
Title Reference:	Essex South Registry, Book 37445, Page 145
Sale Date:	4/17/2019
Sale Price:	\$325,000
Land Area:	0.64 acres
Utilities:	Municipal sewer and water, electricity
Sales History:	No sales in the preceding three years
Financing:	Construction mortgage recorded
Rights Conveyed:	Fee Simple
Verification:	Selling broker, deed, municipal records

Comments: This is a riverfront lot with initially level then steeply sloping topography to the river. The lot was mostly open. The neighborhood is single family at low to moderate density. River Road is connector road that at times has a moderate traffic volume. The sale included site plans for a four-bedroom dwelling, and an Order of Conditions. The buyer is a builder that constructed a new Cape Cod style dwelling. The lot provided broad river views and deep-water access. Unlike the subject and many lots in Merrimac, this lot had municipal sewer.



Lot Sale 5

Address:	419 (per deed) aka 401 East Broadway, Haverhill
Grantor:	Heidi Harris
Grantee:	Roger and Charlene Calderwood
Title Reference:	Essex South Registry, Book 37980, Page 21
Sale Date:	10/29/2019
Sale Price:	\$310,000
Land Area:	3.856 acres
Utilities:	Water, electricity
Sales History:	No sales in the preceding three years
Financing:	No mortgage recorded
Rights Conveyed:	Fee Simple
Verification:	Grantor, listing broker, deed, plan

Comments: Lot 3B on Plan 348/8. Shown in above plan as the lot on the right, this is a large and initially level to gently sloping riverfront lot with its rear lot area being a hayfield. This lot abuts similarly large lots with large fairly new dwellings and offers broad views and good river access. A large dwelling has been constructed. The lot is part of Autumn's Landing Farm and is subject to a protective covenant which allows the owners of Lots 3 through 3D to cross the subject by an easement 30' from the river in order to enjoy use of a jointly constructed and maintained floating dock. The covenant establishes a minimum house size, it disallows construction within the field, and it also imposes lesser design and use controls.



Lot Sale 6

Address: 18 Kimball Hill Drive, Haverhill
Grantor: Jessica Kimball
Grantee: Joseph Martin
Title Reference: Essex South Registry, Book 42383 Page 237
Sale Date: 10/18/2024
Sale Price: \$245,000
Land Area: 1.06 Acres
Zoning: RR- Residential
Utilities: Electricity
Sales History: No sales in the preceding three years.
Financing: None
Rights Conveyed: Fee Simple
Verification: Listing broker – Tom Bolduc, deed, municipal records

Comments: Kimball Hill Drive extends uphill from East Broadway. This is an initially gently upward sloping and then open and level lot located along a cul de sac among 20+ year old dwellings. The lot is irregularly shaped and is one lot removed from the Merrimack River. There is the potential for river views from a new dwelling.

Lot Sales Location Map



Riverfront and River View House Lot Sales					
#	Address	Municipality	Acres	Sale Date	Sale Price
1	18 Norino Dr.	West Newbury	4.03	02/27/24	\$1,200,000
2	11 Sullivan's Ct.	West Newbury	3.08	02/27/19	\$485,000
3	22 Kimball Hill Dr.	Haverhill	2.69	10/26/22	\$310,000
4	93 River Rd.	Merrimac	0.64	04/12/19	\$325,000
5	419 3C East Broadway	Haverhill	3.85	10/29/19	\$310,000
6	18 Kimball Hill Dr.	Haverhill	1.06	10/18/24	\$245,000
Sub.	309 East Broadway		2.43	04/28/25	

The selected unit of comparison is sale price per lot. I compared the sales to the subject's 2.43-acre conceptual lots using the same elements of comparison that are listed in the analysis of the dwelling sales.

Valuable differences were found in property rights, market conditions, location, and physical characteristics. I made the same type of quantitative and qualitative analysis as I did for the dwelling sales except in this comparison I also made an adjustment for property rights and site improvements included in Sales 1 and 2.

Site Improvements and Property Rights – I first adjusted for unusual site preparation or permits included in the sale. I adjusted the price of Sale 1 downward to reflect that it included

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approximately \$450,000 in value for site improvements and permits. I made a -\$10,000 adjustment to Sale 2 for site work upgrades.

Market Conditions – I adjusted the lot sale prices upward for changes in market conditions. While there not sufficient waterfront lot sales and resales to extract a rate of appreciation, it is reasonable to conclude that it should be at least similar to the rate for dwellings. Based upon sales in nearby Seven Sisters Road subdivision and elsewhere and considering that some of the lot sales included the higher appreciation years during the pandemic, I adjusted the sales upward at an average annual rate of 9%.

Location – West Newbury is substantially superior to Haverhill, while Merrimac is superior to a lesser degree.

Physical Characteristics – Physical characteristics having an impact on value were primarily dwelling site quality including size, topography, setting in relation to the river and the road, and quality of view and river access. Available public utilities were also considered. Lastly, I considered the boat ramp. Although the ramp is in poor condition and is less valuable than a dock, its use may be shared by both lots and its presence may aid in permitting a shared dock.

Site Quality The impact of these characteristics can be offsetting and were considered overall. The view and river access are more important than differences in size.

Utilities Sale 4 was served by public sewer and each other lot required the installation of a septic system. The cost of a septic system is roughly \$45,000 for a typical system, and perc testing and septic design can add \$4,000 more. However, when I extracted the difference in sale price for lots with sewer versus otherwise similar lots without sewer, I found the result is typically a lesser amount and I considered this in my reconciliation. Sales 2 and 6 required wells at a cost I estimated at \$20,000.

Sale 1 – This riverfront lot is located in the superior price municipality of West Newbury, within a fairly modern subdivision of large dwellings. The site included a 10-bedroom septic system and boat dock permit as well other previously described improvements having a broker-

estimated cost of \$450,000. While the lot is twice the size of the subject, this is of lesser consequence to value than its other characteristics such as its location and elevated view of the river and its greater setback from the road than is possible at the subject lots.

I made quantitative adjustments for the site work and permit and also for changes in market conditions. I rated the location and size/topo/view as superior. Even after adjustments for the rights and work included in the sale, this lot is much superior overall to the subject lots and was included in the comparison as it is an outlier sale that warranted explanation.

Sale 2 – This riverfront lot is also located in West Newbury among several other new or nearly new dwellings. The site included \$10,000 in preparation work. The lot is larger than the subject lots though the difference is not a major influence on value. The lot is superior in its location, topography, and potential dwelling setting on the lot. The ramp and dock potential at the subject is superior to this lot's potential for a dock. After adjustment for changes in market conditions and based upon my qualitative ratings, I concluded that this lot is much superior overall.

Sale 3 – This riverfront lot is located off of East Broadway at the end of a short and hilly road. The location is superior as it is along a lightly traveled secondary road. The view and probable dwelling setting are superior. The lot size is similar yet its topography, public utilities, and quality of river access and potential for a dock versus a boat ramp are inferior. After adjustment for changes in market conditions and based upon my qualitative ratings, I concluded that this lot is inferior overall.

Sale 4 – This riverfront lot is located in Merrimac along a connector road. The lot is smaller than the subject lots and its topography is more sloping. Like the subject, the required dwelling location is near the road, yet the view is superior. A municipal sewer line was available, which is superior to the subject's septic requirement. I rated the location as superior, the site quality as similar, the public utilities as superior, and the dock potential inferior versus the subject. Primarily due to its location and views, this lot is slightly superior overall.

Sale 5 – This riverfront lot is located along East Broadway at a similar location. The lot's size and to a lesser extent its topography are superior. Owing to similar flood plain, the dwelling

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location is nearer the road, yet farther away than is reasonably probable at the subject. The site quality is superior. The public utilities are the same. The sale has rights to a shared boat dock, which I consider superior to the subject's shared ramp. After adjustment for changes in market conditions, I rated this lot slightly superior overall.

Sale 6 – This is the only river view rather than riverfront lot in this analysis. This lot is at a hilltop abutting Sale 3 and its probable dwelling site will provide some distant views that may include the river. There are no boat ramp or dock rights included in this sale. There is no public water line available to the lot. After adjustment for changes in market conditions and based upon my qualitative ratings, I concluded that this lot is much inferior overall.

Value Indication of Each Lot

Sales 3 through 6 indicate a narrow range of value for each of the subject lots and the remaining analysis is supportive. Considering the degree of adjustment, the dwellings' required locations near the road, the boat ramp, and the lack of supply of riverfront lots, I reconciled to the approximate upper end the range in concluding an average market value of \$450,000 for each of the subject's 2.43-acre lots.

Merrimack Riverfront and River View House Lot Sales Grid							
	Subject	Sale 1	2	3	4	5	6
Transaction Data:	309 E. Broadway Haverhill	18 Norino Dr. West Newbury	11 Sullivan's Ct. W. Newbury	22 Kimball Hill Dr. Haverhill	93 River Rd. Merrimac	419 E. Broadway Haverhill	18 Kimball Hill Dr. Haverhill
Sale Price		\$1,200,000	\$485,000	\$310,000	\$325,000	\$310,000	\$245,000
Date of Sale	04/28/25	02/27/24	02/27/19	10/26/22	04/12/19	10/29/19	10/18/24
Property Data:							
Site Size - Acres	2.43	4.03	3.08	2.69	0.64	3.85	2.69
Transaction Adjustments:							
Improvements, Rights		rights, site impr.	site prep.	similar	similar	similar	similar
Adjustment		-\$450,000	-\$10,000	\$0	\$0	\$0	\$0
Adjusted Price		\$750,000	\$475,000	\$310,000	\$325,000	\$310,000	\$245,000
Market Conditions (yrs.)		1.15	6.08	2.47	5.96	5.42	0.52
Adjustment		10.4%	54.8%	22.2%	53.7%	48.8%	4.7%
Adjusted Price		\$827,856	\$735,131	\$378,947	\$499,378	\$461,272	\$256,478
Property Adjustments:							
Location		much superior	much superior	superior	superior	similar	superior
Site Quality		superior	superior	sl. inferior	similar	superior	inferior
Public Utilities		superior	similar	inferior	superior	similar	inferior
Boat Ramp		inferior	inferior	inferior	inferior	superior	inferior
Overall Rating		much superior	much superior	inferior	slightly superior	slightly superior	much inferior
Average Market Value of each Conceptual Lot			\$450,000				

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In order to provide a market value indication for the larger parcel, as is, applicable costs and allowances must be deducted.

The survey and engineering expenses were based upon my discussion with an engineer and included an NHESP expense allowance based upon my experience in an appraisal where such a report was required. Sales, legal, and tax stamps are calculations made at standard rates. The allowance of a supervision and entrepreneurial cost reflects that the likely buyer has to manage the process, accept the risk related to resale, and earn a profit on the resales. This allowance is common to bulk purchases of real estate intended for resale, and I have applied a ratio at the low end of a reasonable range.

My opinion of the market value of the subject land as if vacant before the taking is summarized in the following chart, as \$1,200,000, or \$3.77 per SF.

Valuation Summary - 7.3-Acre Larger Parcel, Before		
Gross Lot Sales	3 Lots at \$450,000 each	\$1,350,000
Less Expenses and Allowances		
Survey & Engineering, NHSP		\$16,000
Sales and Marketing	5% of gross sales	\$67,500
Legal		\$3,500
Tax Stamps	\$4.56 per \$1,000	\$6,156
Supervision & Entrepreneurial	5% of gross sales	\$67,500
Total Expenses and Allowances		\$160,656
Calculation of Land Value		\$1,189,344
Market Value As If Vacant-Before, Called:		\$1,200,000

Valuation of the Larger Parcel As Improved Before the Taking

I researched riverfront dwelling sales, large old non-waterfront dwelling sales, and lot sales in Haverhill and nearby municipalities occurring over the past several years. I did not find sales of riverfront properties in Haverhill or nearby that included a large old dwelling in similarly poor condition to the subject and that also had the potential for additional house lots. Therefore, I made the analysis most likely to be applied by prospective buyers; I developed market values by sales comparison for each subject component and then deducted the associated costs and allowances to capture their contribution and to derive a market value as is before the taking. My analysis included consideration of the same elements of comparison as before and was also quantitative and qualitative.

The following dwelling sales were found to be the most useful in developing my opinion of market value for the subject dwelling as if on its conceptual 2.43-acre lot before the taking.

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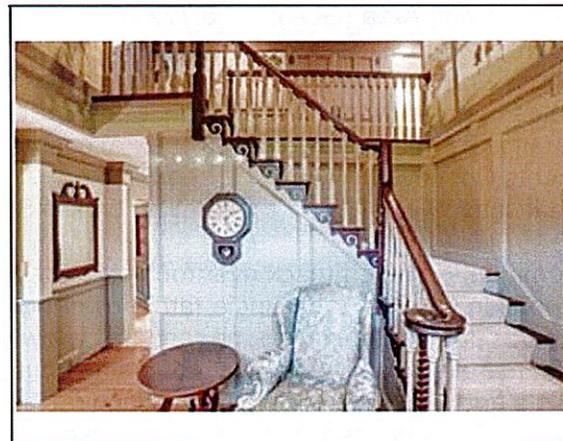
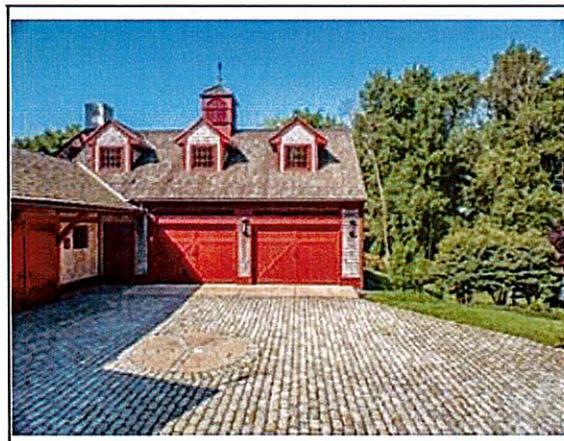
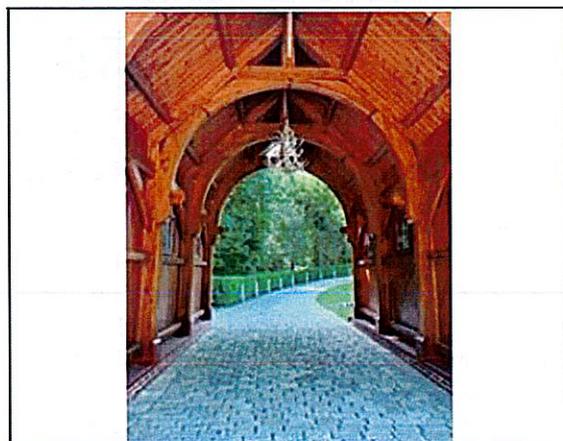
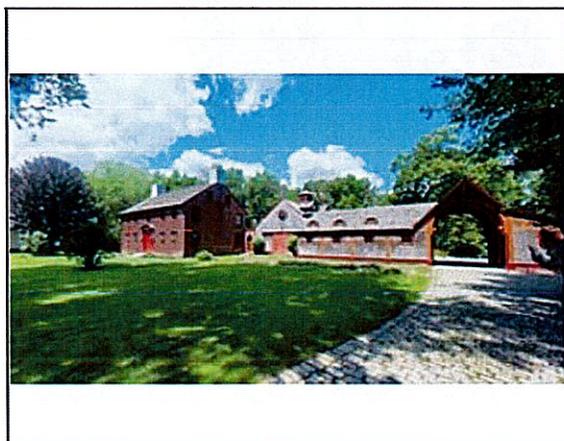
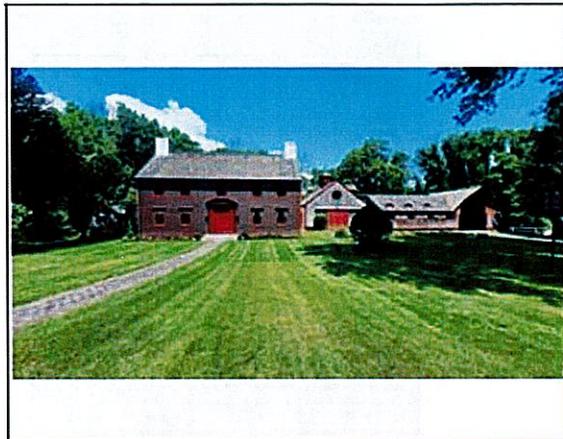
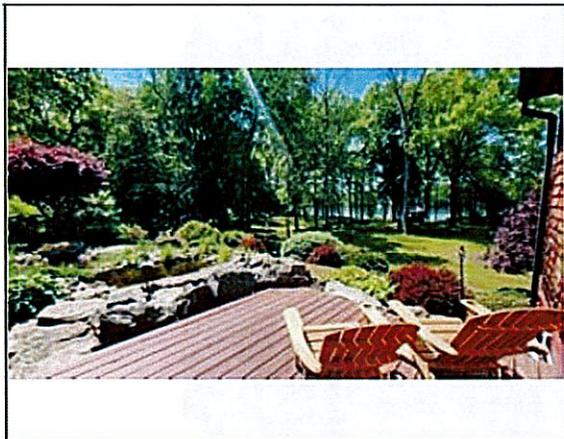
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Dwelling Sale 1

Address: 9 Arrowhead Lane, Groveland
Grantor: Albert and Nicole Pare
Grantee: Jeffrey Beane
Title Reference: Essex South Registry, Book 42584, Page 460
Sale Date: 2/9/2024
Sale Price: \$1,700,000
Land Area: 2.0 Acres
Gross Living Area (GLA): 3,772 SF
Room Count: 10/4/3.5
Price Per SF of GLA: \$451 (excludes finished basement)
Sales History: No sales in the three preceding years
Financing: None. All cash.
Rights Conveyed: Fee Simple
Verification: Selling broker-Scott Beane, MLS, deed, other public records

Comments: A Merrimack riverfront lot located at the end of cul de sac, improved with a Georgian Colonial style single-family dwelling of unusually good quality constructed in 1996 with the design of an antique. The road has a low volume of traffic. The dwelling was custom built with murrled walls, wide board floors and custom doors, cabinets, and hardware. The dwelling has a good floor plan with five working fireplaces and a large master bedroom with a cedar closet. The attached timber-frame carriage house with heated garage has an A/C second-floor in-law apartment. There is a 3-car garage, horse stalls, and the basement has a gym. The dwelling needed a roof replacement yet was otherwise in good/livable condition with a custom kitchen and baths that just needed a "refresh" as they were 28 years old. The lot had a cobblestone driveway, a screen house near the water, a porte-cochere, gardeners shed with electricity and water, a Koi Pond with a waterfall, and a boat dock. The dwelling was oriented to provide water views. The buyer has replaced the roof and made interior upgrades.



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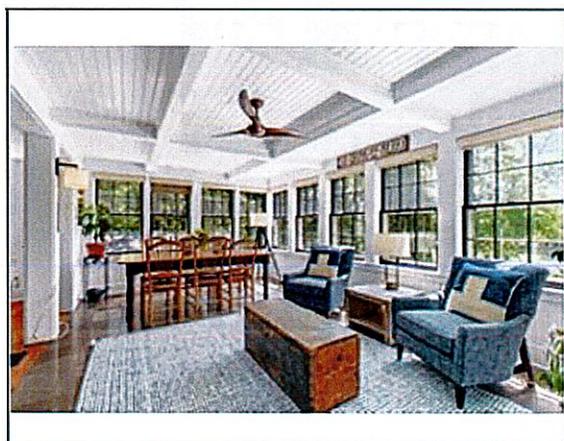
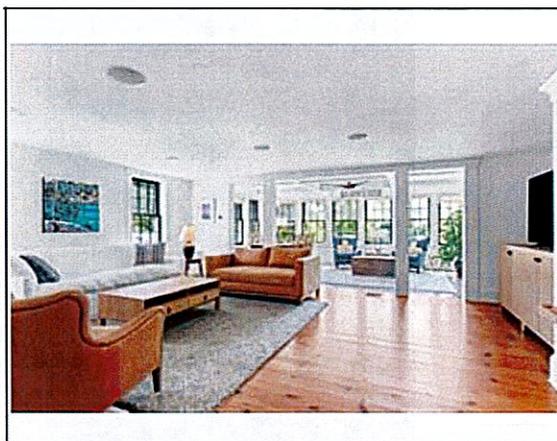
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Dwelling Sale 2

Address:	101 River Road, Merrimac
Grantor:	Christopher Mitchel and Cara Richardson
Grantee:	101 River Road LLC
Title Reference:	Essex South Registry, Book 42243, Page 339
Sale Date:	7/30/2024
Sale Price:	\$1,670,000
Land Area:	0.44 Acres
Gross Living Area (GLA):	4,069 SF (excludes 883 SF of basement)
Room Count:	11/4/3+2
Price Per SF of GLA:	\$410
Sales History:	\$1,450,000 on 3/26/2021
Financing:	\$1,252,500 New Valley Bank & Trust
Rights Conveyed:	Fee Simple
Verification:	Selling broker-Melinda Fields, MLS, deed, other public records

Comments: A Merrimack riverfront lot improved with a Greek Revival style single-family dwelling of good quality constructed in 1855. The road is a moderately traveled connector road. The dwelling had a good/open first floor plan and was in good exterior and "pristine" interior condition. The dwelling had been gutted and renovated by Mark Shapiro, a well-known high-quality builder and then sold for \$1,450,000 on 3/26/2021. These sellers lived in the dwelling only part time and made no improvements. The resale price indicates a 5% average annual rate of appreciation. The broker reported the above GLA, which does not include the 883 SF of finished basement. In addition to its three fireplaces, the interior had a modern kitchen and baths (spa-like), hardwood floors, and a sunroom that provided broad views of the river. The master suite also offered river views. There lot was also improved with a detached, heated garage/boat house that had a ½ bath, a patio, an outside shower, and a boat dock along its 80'±' of river frontage.

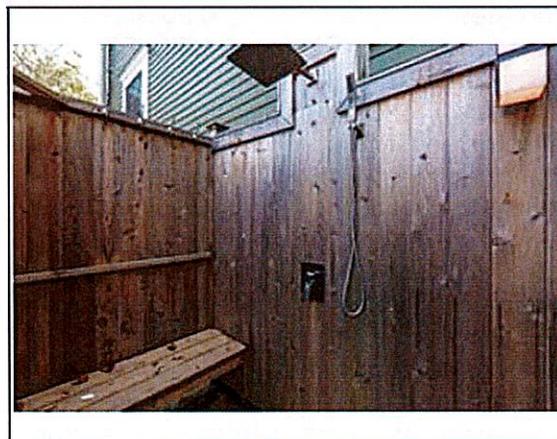
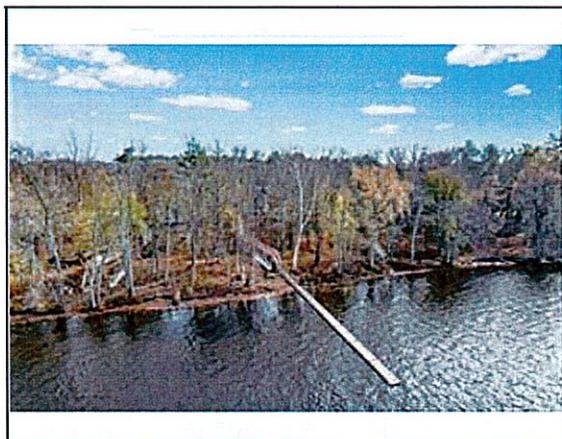
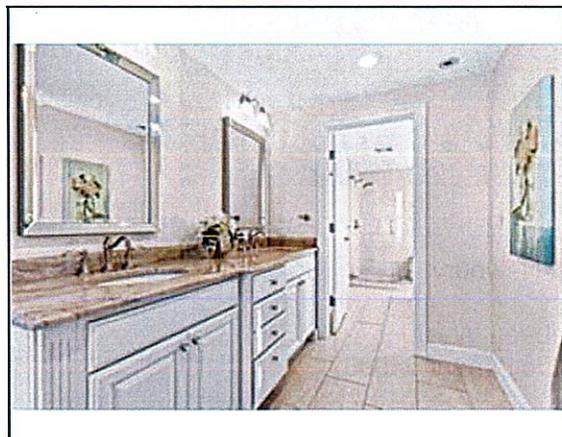




Dwelling Sale 3

Address: 56 Church Street, West Newbury
Grantor: James V. Igoe
Grantee: Khaqan Ahmed and Sabeen Wasi
Title Reference: Essex South Registry, Document 649987
Sale Date: 3/1/2024
Sale Price: \$1,350,000
Land Area: 0.96 Acres
Gross Living Area (GLA): 4,530 SF
Room Count: 10/4/3.5
Price Per SF of GLA: \$298
Sales History: No sales in the three preceding years
Financing: None
Rights Conveyed: Fee Simple
Verification: Selling broker-Kimberly Oneil Mara, deed, MLS

Comments: A Merrimack riverfront lot improved with a colonial style dwelling constructed in 2003 with a two-car built-in garage and Hardie Plank siding. The lot is open at the front and thinly wooded at the rear. There is an outdoor shower and a long walkway leading to the property's new floating dock. The dwelling contained a large modern kitchen and baths, good quality cabinets, quartz counter tops, a large living room, central air, hardwood floors, a nearly new master bath, a deck, and a patio. The dwelling had a modern floor plan and was in good condition inside and out. The property sold in 2019 and according to the selling broker was "cosmetically updated" prior to this sale.



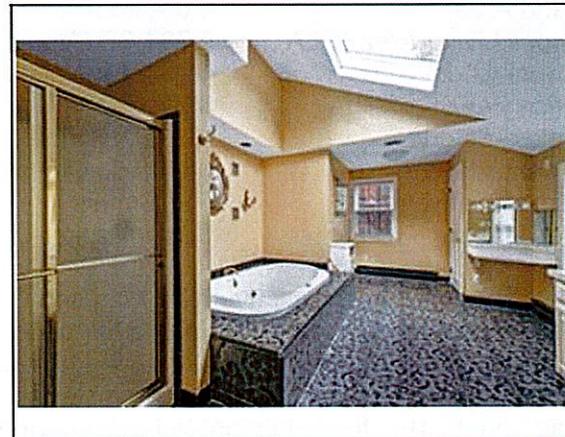
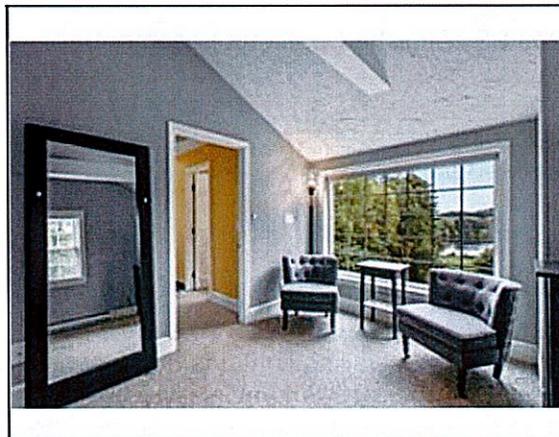
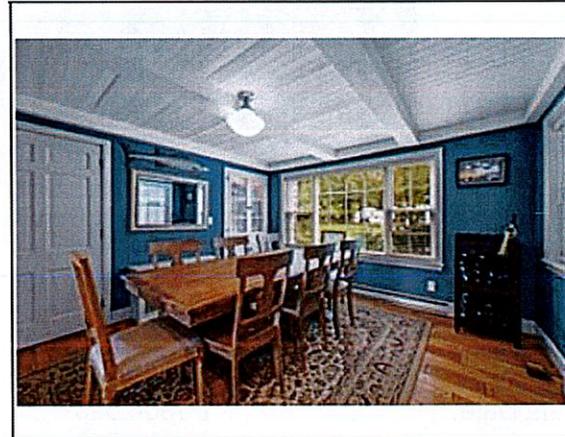
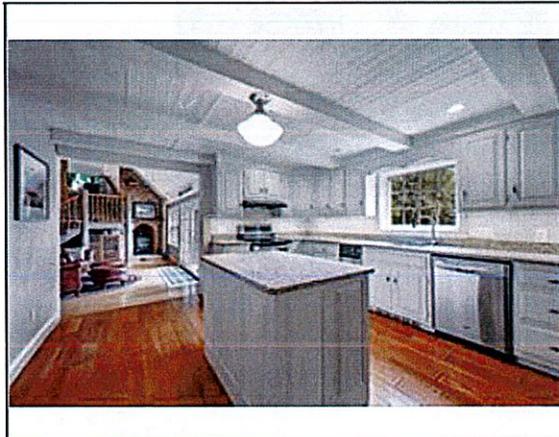
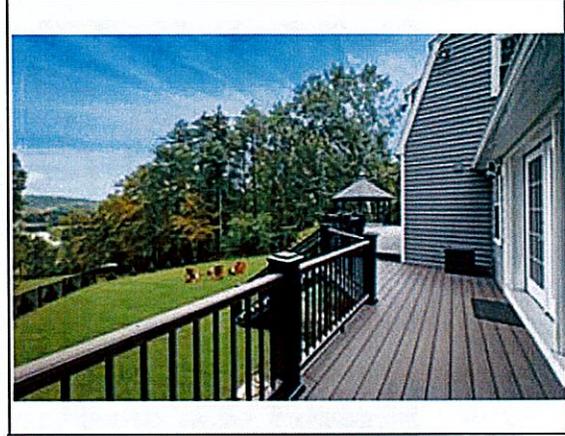
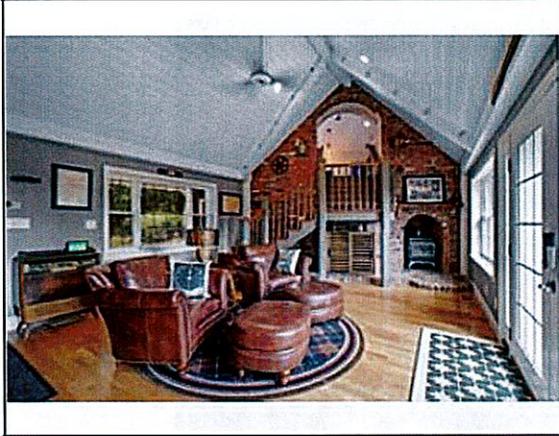


Dwelling Sale 4

Address: 467 East Broadway, Haverhill
Grantor: Jay M. Ferrandini
Grantee: Walter R. Darrach
Title Reference: Essex South Registry, Book 41883, Page 278
Sale Date: 11/30/2023
Sale Price: \$1,170,000
Land Area: 4.0 Acres
Gross Living Area (GLA): 2,704 SF (Also had 1,246 SF of finished walk-out basement)
Room Count: 11/3/3 full & 2 half
Price Per SF of GLA: \$394
Sales History: No sales in the three preceding years
Financing: \$877,500 Cross Country Mortgage
Rights Conveyed: Fee Simple
Verification: Selling broker-Linda Ducharme, MLS, deed, other public records

Comments: A Merrimack riverfront Garrison Colonial style home constructed in 1978 with a large attached two-car garage and a large, detached shed built as a woodworking shop. The property sold to this grantor in 2016 and he rehabilitated it. The dwelling contains a nearly new kitchen and baths, a large dining, a master bedroom suite, central A/C, and a finished basement. The full-height gabled ceiling living room and deck offered a view of the river. The lot sloped down in lawn to a broad and level lawn along the river where there is a modern floating boat dock.

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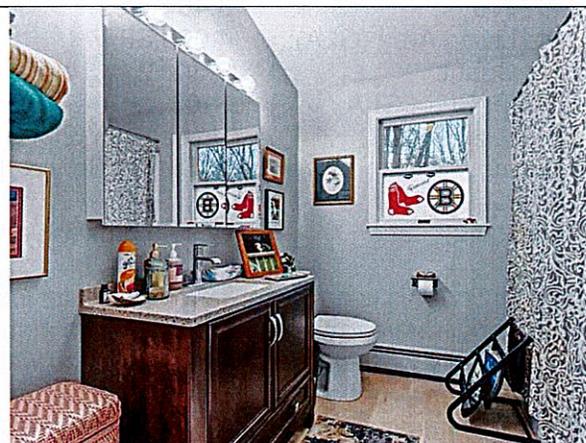
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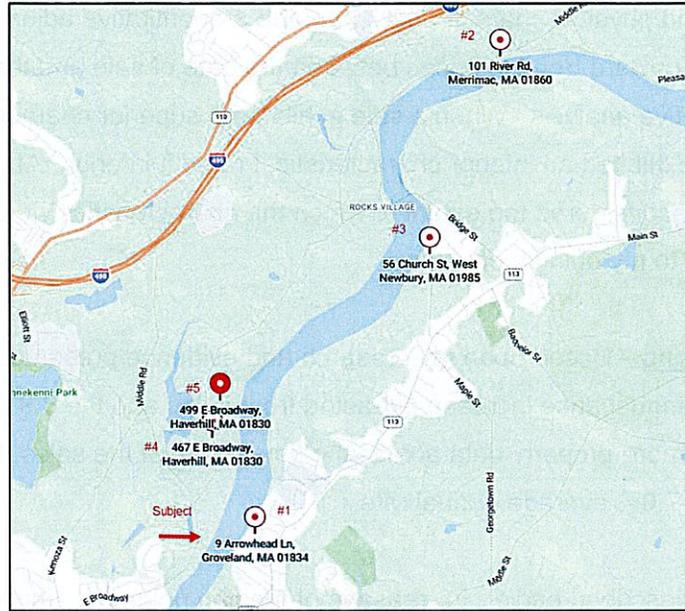
Dwelling Sale 5

Address: 499 East Broadway, Haverhill
Grantor: Edward D. Lardiere
Grantee: Erin Riley and Aidan O'Rourke
Title Reference: Essex South Registry, Book 41510, Page 373
Sale Date: 4/7/2023
Sale Price: \$775,000
Land Area: 3.46 Acres
Gross Living Area (GLA): 4,008 SF
Room Count: 9/5/3+2
Price Per SF of GLA: \$193
Sales History: No sales in prior 3 years
Financing: \$570,000 Service Federal Credit Union
Rights Conveyed: Fee Simple
Verification: Selling broker-Dawn Aiello, MLS, deed, other public records

Comments: This is a Merrimack riverfront lot improved with a building that is a colonial design at the front (above) and an attached Ranch at the rear. The building was constructed in 1990 and its quality was average and its condition was fair to poor as it needed flooring on the second floor and a new roof and rear deck. The kitchens and baths were acceptable. The building is used as a single-family plus an in-law apartment, each with its own kitchen and entry. In addition, there is a full basement with a two-car garage. The site also has an oversize detached two-car garage with a large second floor room with French doors to a deck above a carport. The lot is large and fairly level from its dwelling locus to its 120' of river frontage; however, it has a steep driveway from the road to the dwelling. The riverfront is improved with a boat dock whose permit needed updating and that was reported to allow up to a 48' boat. The seller paid for a new septic system.



Dwelling Sales Location Map



Select Riverfront Dwelling Sales								
#	Address	Municipality	Sale Date	Sale Price	Acres	Style	GLA*	Built
1	9 Arrowhead Ln.	Groveland	02/09/24	\$1,700,000	2.00	Georgian	3,772	1996
2	101 River Rd.	Merrimac	07/30/24	\$1,670,000	0.44	Greek Rev.	4,069	1855
3	56 Church St.	W. Newbury	03/01/24	\$1,350,000	0.96	Colonial	4,530	2003
4	467 East Broadway	Haverhill	11/30/23	\$1,170,000	4.00	Colonial	2,971	1978
5	499 East Broadway	Haverhill	04/07/23	\$775,000	3.46	Colonial	4,008	1990
	Subject	Haverhill	04/28/25		2.43	Colonial	5,467	1921+1975

I selected price overall as the unit of comparison. I compared the sales to the subject using the elements of comparison listed below.

- * Property rights conveyed
- * Financing terms
- * Conditions of sale (motivation)
- * Expenditures made immediately after purchase
- * Market conditions
- * Location
- * Physical characteristics
- * Economic characteristics
- * Legal characteristics
- * Non-realty components of value

Significant differences between the sales and the subject were found in market conditions, location, and physical characteristics. I made a quantitative adjustment to the sale prices reflective of the upward trend in prices between the date of sale and the date of value. Then, I made a qualitative analysis. When a sale exhibited a superior characteristic, I rated it superior, and when it exhibited an inferior characteristic, I rated it inferior. At the end of this comparative process, I considered the extent to which the characteristics were superior or inferior and reconciled to my opinion of value.

Market Conditions – Based upon my research and evidence presented earlier, which included the average annual price increase extracted from sales and the 6.9% average rate drawn from published more property data across the time frame of the sales, I adjusted the sale prices upward using a 7.0% average annual rate.

Location – As described earlier, for reasons of median household income, highway access, and school systems, Merrimac and Groveland are generally superior locations to Haverhill, and West Newbury is superior to a greater extent. Also, MLS data indicates that over the last 12 months the average single-family sale price in Haverhill was \$599,019, while in Merrimac it was \$696,896, in Groveland it was \$752,517, and in West Newbury it was \$1,115,576. Locations within each municipality vary and I made my ratings reflective of overall of my knowledge of the data and my observations when visiting the sales.

Lot Utility – The sale lots exhibited different overall utility based upon view, size and topography, and river access. I considered the overall utility of the sale lots as compared to the subject's estimated 2.43±-acre lot.

Dwelling Size and Condition – All of the sales had less Gross Living Area (GLA) than the subject. This measure does not include finished basement area, even when it is walk-out. All of the sales are smaller in GLA than the subject; however, the selected sales and others analyzed indicate that the value of square footage above approximately 4,000 SF diminishes.

In considering condition, I observed the exterior of the sale dwellings and also the quality of finish and interior condition, especially of kitchens and baths, using the MLS listing photographs. Four of the sale dwellings were younger than the subject, and one was older.

The older one had been renovated several years before the sale. To varying degrees all of the sale dwellings were in superior condition to the subject. Due in part to its size, the subject will require a large capital expenditure to put it into a condition similar to the sales.

Other – Under this heading I considered other improvements such as finished basement, garages, outbuildings, and boat docks. I concluded that the value attributed to finished basement was low per SF.

Sale 1 – This property has a superior location and a lot of similar size and topography. The dwelling's quality is unusually good and its condition was much superior to that of the subject. The dwelling's size is smaller than the subject. The finished basement, garage, driveway, landscaping, and boat dock are all superior. Overall, this property was much superior to the subject.

Sale 2 – This property has a superior location, and despite its smaller lot size, the lot's utility was similar overall as the dwelling was closer to the water and its view was superior. The dwelling quality and condition were unusually good, and its condition was much superior to the subject. The dwelling's size is large, yet smaller than the subject. The additional finished basement and the dock and landscaping were superior components of this property. Overall, this property was much superior to the subject.

Sale 3 – This property has a superior location and a smaller lot size that was still about an acre. Trees limited the river view more than at the subject and I rated this lot as inferior overall. The dwelling was much younger; its quality was good and its condition was good and included a recently updated kitchen. Overall, the condition was much superior to the subject. The dwelling's size large yet smaller than the subject. The property also had a modern boat dock. Overall, this property was much superior to the subject.

Sale 4 – This property had a similar location and a larger lot with inferior topography and a narrower river view due to its trees. The dwelling was younger yet its quality is not as good as the original section of the subject. The dwelling was younger and in much superior condition having been rehabilitated over the last few years. The dwelling's size was smaller than the subject; however, it also had a large, finished basement area of 1,246 SF, which is of lower

value per SF than upper floor area. Overall, the dwelling the size remained inferior. The property also included a detached garage and workshop in better condition than the subject's garage and its boat dock was a superior feature. Collectively, these additional aspects of this sale were slightly superior. Overall, despite its smaller dwelling size, this property was superior to the subject.

Sale 5 – This property had a similar location and a larger lot with poor/inferior topography between the road and the dwelling. Also, the lot afforded the dwelling “no real view” toward the river due to intervening trees and it was inferior overall. The dwelling's design was unusual as it was two different styles of attached buildings. The dwelling was much younger, of average quality, and in superior condition despite its needing work. The dwelling's size was large yet smaller than the subject dwelling. The property also included basement garage space, a large, detached garage with a second-floor room that was superior to the subject's garage, and it had a boat dock. Overall, despite its needing less repair than the subject, due to its topography and dwelling design this property was inferior to the subject.

Adjusted only for changes in market conditions, the \$1,458,000 to \$1,843,000± prices of Sales 1 through 3 are reflective of much superior properties. Sale 4, adjusted to \$1,284,000± is a superior property. Despite its superior condition, Sale 5 is an inferior property. I reconciliation of the data I considered the extent to which the sales are superior or inferior. I concluded that Sale 4 is superior to a greater extent than Sale 5 is inferior. The data support a conclusion of at least \$900,000, reasonably \$950,000±, and not more than \$1,000,000. Considering the major capital expense necessary to put the subject into a condition similar to that of sales 1 through 3, those sales reinforced this range.

Given market conditions that include a low supply of riverfront properties, I reconciled to the upper end of the range in concluding that this sales comparison provides an indication of market value for the subject dwelling as if on a 2.43±-acre lot, of \$1,000,000. A summary chart of my adjustment and ratings is presented on the following page.

Market Value Opinion of the Dwelling as if on 2.43 Acres

\$1,000,000

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	Subject	Sale 1	2	3	4	5
Transaction Data:	309 E. Broadway Haverhill	9 Arrowhead Ln. Groveland	101 River Rd. Merrimac	56 Church St. West Newbury	467 E. Broadway Haverhill	499 E. Broadway Haverhill
Sale Price		\$1,700,000	\$1,670,000	\$1,350,000	\$1,170,000	\$775,000
Date of Sale	04/28/25	02/09/24	07/03/24	03/01/24	11/30/23	04/07/23
Property Data:						
Dwelling GLA - SF	5,467	3,772	4,069	4,530	2,971	4,008
Site Size - Acres	2.43	2.00	0.44	0.96	4.00	3.46
Transaction Adjustment:						
Market Conditions (yrs.)		1.20	0.81	1.14	1.39	2.03
Adjustment		8.4%	5.7%	8.0%	9.7%	14.2%
Adjusted Price		\$1,843,126	\$1,764,481	\$1,457,963	\$1,283,987	\$885,135
Property Ratings:						
Location	superior	superior	superior	superior	similar	similar
Lot Utility	similar	similar	similar	inferior	inferior	inferior
Dwelling Condition	much superior	much superior	much superior	much superior	much superior	superior
Dwelling Size	inferior	inferior	inferior	inferior	inferior	inferior
Other	superior	superior	superior	superior	sl. superior	sl. superior
Overall Rating	much superior	much superior	much superior	much superior	superior	inferior
Concluding Opinion of Market Value	\$1,000,000					

Valuation of the 4.86 Acres of Excess Land Before the Taking

The highest and best use of the subject as improved before the taking is the dwelling on its 2.43- acre lot and use of the excess land as two more 2.43-acre lots. As shown, my opinion of the value for the dwelling on one 2.43-acre lot is \$1,000,000. The method of valuing the land for two additional lots is essentially the same as I made in my valuation of the larger parcel. The gross value and the expenses and allowances were revised to reflect that there are two rather than three lots and the value indication is, \$800,000, rounded.

The subject's market value in its highest and best use before the taking is summarized in the following chart. This analysis reflects that the dwelling is the subject component more likely to be retained by the buyer, and its value is not subject to an entrepreneurial profit allowance. This analysis results in the highest value as is.

Valuation Summary As Improved Before		
Gross Lot Sales	2 Lots at \$450,000 each	\$900,000
Less Expenses and Allowances		
Survey & Engineering, NHSP		\$12,000
Sales and Marketing	5% of gross sales	\$45,000
Legal		\$2,500
Tax Stamps	\$4.56 per \$1,000	\$4,104
Supervision & Entrepreneurial	5% of gross sales	\$45,000
Total Expenses and Allowances		\$108,604
Contribution to Value by Two Lots		\$791,396
Plus Market Value of Dwelling on 2.43 Acres		\$1,000,000
		\$1,791,396
Market Value Before, Called		\$1,800,000

Market Value – Before the Taking

The Sales Comparison Approach indicates the market value of the larger parcel as improved before the taking is **\$1,800,000**.

Description and Intended Use of the Taking

The city shall take the fee (less a permanent river access easement) in 5.3± acres whose only improvements are the old boat ramp and 160' of fence. The boat ramp is in poor condition, and the fence as depicted below is in very poor condition.

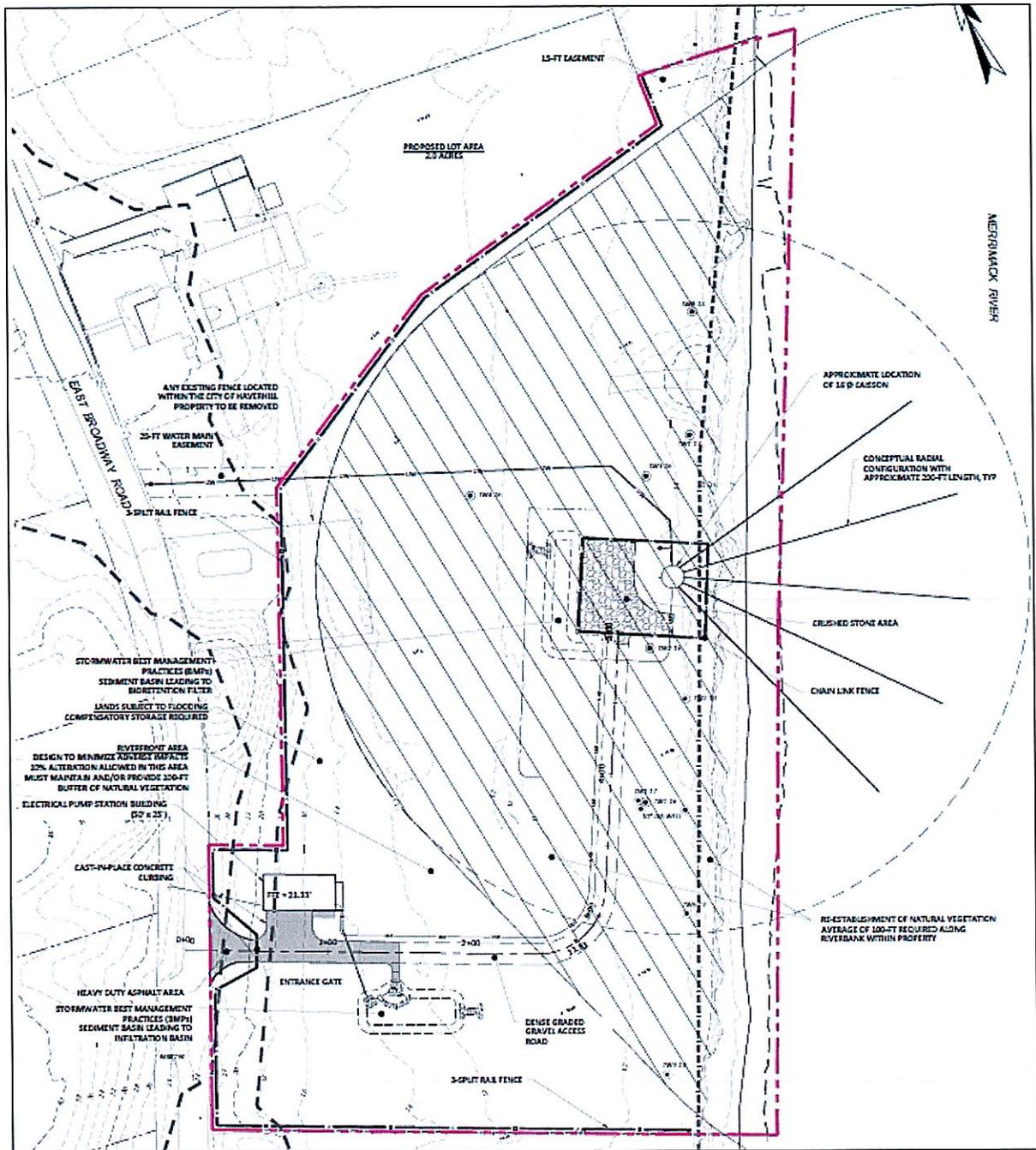


In addition, the city shall take a 20' wide by average 100' long (2,000 SF) permanent water main easement across the two-acre remainder parcel.

The two-acre remainder parcel shall include a permanent easement at a 15'-wide by an average of 110' long (1,650 SF) to mean low water corridor to the river for use as river access. No permits for a boat dock, ramp, or other uses are included in this easement yet it provides the land rights necessary to build a dock and the river access and potential for obtaining permits for such use.

A depiction of the parcel's division and the planned use and construction are presented in the following plans.

Close-up of Planned Use Plan



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The city shall install at the 5.3 acres a public "radial collector well" and establish a well field of subsurface pipes, which extend from the circular caisson to beneath the river. The engineers at Wright-Pierce anticipate that at least 75% of the water collection shall be from beneath the river.

A 20' by 40' one-story electrical pump station building shall be constructed in the southwesterly portion of the 5.3 acres and an asphalt drive with underground power line will be constructed to the building and continue thereafter as a high-density gravel surface driveway to a crushed stone area at the well's caisson. The driveway will be gated.

The caisson area shall be excavated, and a crane shall install its pre-cast 16' diameter concrete rings to a depth of 70' to 80' and to a height of approximately 5' above the current site elevation. Laterals (pipes) will be installed at a 70' to 80' depth extending off-site beneath the river. With the 16' diameter caisson in place, a submerged pump will be used to empty the water from within it into a laydown area, which will be excavated to become a dewatering and stormwater basin. When the dewatering is complete and the laterals are in place, stockpiled soils will be used to level most of this area and return it to its prior condition. Crushed stone and stormwater drainage areas will remain. The caisson's pump will be run by a "silent" generator. The caisson's temporary cap will be made permanent and a chain link fence will be installed around the immediate area. A three split rail fence will be installed along this parcel's border.

The construction period is two years, with most work done in the first year. Construction vehicles and contractors will be at the 5.3-acre site during normal daylight hours, Monday through Friday. The taking does not impart to the general public a right to use the taking area or the remainder.

Description of the Remainder Property, Effect of the Taking, and Construction Work in Lieu of Damages

The taking results in a two-acre lot that contains the dwelling and includes permanent river access directly from its lot and a broad river view secured by the low intensity land use of the public well. The lot has a broad width along the street, where it includes the wooded knoll

and all of the larger parcel's improvements except 160'± of fence and the boat ramp. This width provides control over the view to the south near the roadway from the dwelling.

Amy Coppers of Wright-Pierce reported that there will be no discernable loss of water flow over the subject's tidal land or in the river in general as the planned 7.0 MPG withdrawal represents 0.16% of the overall river flow.

Overall, there will be a change in view due to the fence around the caisson area and in the river access quality. There will also be some disturbance affecting the dwelling's use from activity that includes noise, dust, trucks, etc., similar to that which would have occurred if the excess land was put to its highest and best use before, being the construction of two new dwellings nearby. There is no construction work planned in lieu of damages.

Highest and Best Use – After the Taking

The property's highest and best use after the taking is for residential use of the two-acre remainder lot and its single-family dwelling after capital repair to the dwelling. The lot configuration is shown on the Plan of Highest and Best Use. (The remainder lot's shape was negotiated with the current property owner.) The subject's likely buyer is a local builder/investor or a user with construction experience that will renovate the dwelling and may also seek a dock permit.

Sales Comparison Approach - After the Taking

I made two analyses of the remainder property's market value. First, I valued the part taken, severance, and special benefits. Then, to test the reasonableness of those results, I valued the remainder property as a whole.

Valuation of Taking of 5.3 Acres

The value of the land was already opined at \$3.77 per SF. The only adjustment to this value is that the taking is not in fee as there remains a permanent river access easement upon 1,650 SF. As it allows use above, upon, and partially below the surface, I value this 1,650 SF at 90% of the value per SF in fee. Therefore, the adjustment is -\$3.39 times 1,650 SF, or \$5,594,

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called -\$5,500. The value of the taking as part of the whole is 5.3 acres or 230,8687 SF times \$3.77 = \$870,372, less \$5,500, or \$864,872.

Valuation of the Permanent Easement

The value of the 2,000 SF permanent easement is based upon the value in fee of its land area times the degree of the bundle of rights taken. The value in fee as part of the whole is \$3.77 times 2,000 SF, or \$7,540. The rights taken are less than fee and the value taken is less.

The permanent easement is for the installation, repair, and replacement of a subsurface public water main. After excavation and pipe installation the surface will be returned to a similar condition as presently exists, except any deep-rooted plantings will not be allowed. Water mains generally exhibit a lengthy service life, which should result in little additional disturbance for decades. The easement area can be crossed by residents in normal yard use including residential landscaping equipment and also by private utility lines. Therefore, the easement involves a taking of minimal air rights, shared yet controlling surface rights, and most subsurface rights.

Generally, in suburban locations like the subject's where house lot use is the highest and best use, surface rights are the most valuable, air rights are second, and subsurface rights exhibit the lowest percentage of the value in fee. Practically, the "surface" area includes up to a reasonable working height of approximately 10' and a couple feet below grade as well. Air rights are above the surface, and subsurface rights extend far below. In this instance, due to the importance of the view, I reasoned the allocation of rights as summarized in the following chart. The degree of the rights taken from the fee is reasoned to be 55%.

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PE Rights						
Fee Simple		Rights Taken			Weighted Result	
		Times	Equals	% Taken		
100%	40%	air (10'+)	x	10%	=	4%
	50%	surface	x	80%	=	40%
	10%	subsurface	x	95%	=	10%
					Total	54%

Data concerning arms-length private party sales of permanent easements are very limited supply. Examples listed in the following chart are published data regarding easements sold upon rail corridors. These negotiated purchases were most often made to install electricity transmission lines (air rights) plus stanchions (surface and limited subsurface rights). Therefore, combinations of rights were transacted. The range of interest (value of the land in fee) was 40% to 72%. Though the parcels and their intended uses are dissimilar from the subject, the ratios support the use of a fraction of the value in fee, and the transactions provide a range of percentages.

Easement Sales						
#	Location	Sale Date	Sale Price	Miles	% of Fee	Rights Acquired
1	Sacramento, CA	Apr-87	\$380,000	4.57	50%	Permanent easement (PE) to install high voltage transmission stanchions and wires
2	Susanville, CA	Apr-88	\$153,000	22.0	72%	PE for transmission lines and structures
3	Twin Oaks, PA	Sep-90	\$7,000,000	36.8	50%	PE for transmission lines and structures
4	Cranford, NJ	Dec-90	\$12,000,000	4.34	40%	PE for transmission lines and structures
5	Bradford, et al, FLA	Jul-91	\$3,150,000	8.13	50%	Aerial and subsurface PE

Considering the result of my reasoning and the data, I concluded at 55%. Therefore, taking 55% of the \$7,540 value in fee results in a value for the easement of \$4,147.

Value of the Improvements

As previously shown, the 160' of fence taken is in very poor condition. I concluded at a nominal amount of \$500 as its value. The only other improvement is the 600± SF boat ramp. I made an estimate of the asphalt ramp and stairs' value based upon use of a depreciated cost

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estimate developed using the Marshall & Swift Cost Service Manual. The replacement cost new is taken from Page 1 of Section 66 at \$5,000. Deducting estimated depreciation at 50%, the value of the ramp and stairs taken is \$2,500. The total value of the improvements taken is \$500 and \$2,500, or \$3,000.

Valuation Summary of Part Taken

Prior to an analysis of severance, the value of the taking is the sum of \$864,872 for land, \$4,147 for the permanent easement, and \$3,000 for the improvements, or \$872,019.

Severance

In this analysis, I relied upon my discussions with local brokers regarding the importance of views, river access, and other property characteristics held when confirming the dwelling and lot sales. I concluded a negative impact on the remainder (severance) from the changes in view and river access. Although it is a considerable distance from the subject dwelling, the chain link fence around caisson is an inferior aesthetic to an open area, which due to flood plain and river setbacks would have otherwise existed under highest and best use. The new utility building will be distant from the remainder dwelling and is buffered from view by wooded knoll that is within the remainder property; like the new gravel driveway it is inconsequential to the view and overall.

I concluded severance of 10% of value of the lot before the taking, or \$45,000.

Special Benefits

There will be a general benefit to Haverhill's water supply yet I found no basis for conclusion of a special benefit to the subject.

Summary of Damages

The preceding analysis indicates that the \$1,800,000 value before the taking is diminished by \$917,019 in damages. This sum of damages implies a value for the remainder of \$882,981, called \$885,000.

Test of Reasonableness

As a test of reasonableness, I appraised the remainder property. I found the sales that were used in valuation of the subject dwelling (before) remained the most useful sales in its valuation as if on a two-acre lot with river view and direct river access (after) yet without shared use of a boat ramp and with the change in view.

My comparative ratings after were the same as before; however, in reconciliation of the data I again considered the extent to which the sales were superior or inferior. Based upon my analysis of the sales, I concluded that the subject dwelling as if on a two-acre river view and riverfront access lot as described was more like Sale 5 than it had been before and is therefore lower. Considering the change in lot dimensions, view, river frontage and access including shared boat ramp, prior to adjustment for the permanent easement I concluded a value near the low end of the range, or \$900,000. As shown on the following page, after adjustment for the 2,000 SF easement, this test indicated a market value indication after the taking of \$895,000 and damages of \$905,000. This conclusion is supportive of the results of my previous analysis.

Conclusion of Damages

In summary, in valuation after the taking I appraised the value of the part taken, plus severance, less special benefits. I tested the reasonableness of this opinion by valuing the remainder after the taking. In finalizing my opinion of damages, I reconciled to the greater amount. My opinion of damages is \$917,019.

Damages

\$917,019

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		<u>Dwelling Sales Adjustment Grid - After</u>				
Subject		1	2	3	4	5
Transaction Data:						
Sale Price	309 E. Broadway Haverhill	9 Arrowhead Ln. Groveland	101 River Rd. Merrimac	56 Church St. West Newbury	467 E. Broadway Haverhill	499 E. Broadway Haverhill
Date of Sale	04/28/25	02/09/24	07/03/24	03/01/24	11/30/23	04/07/23
	\$1,700,000	\$1,700,000	\$1,670,000	\$1,350,000	\$1,170,000	\$775,000
Property Data:						
Dwelling GLA - SF	5,467	3,772	4,069	4,530	2,971	4,008
Site Size - Acres	2.00	2.00	0.44	0.96	4.00	3.46
Transaction Adjustment:						
Market Conditions (yrs.)	1.20	1.20	0.81	1.14	1.39	2.03
Adjustment	8.4%	8.4%	5.7%	8.0%	9.7%	14.2%
Adjusted Price	\$1,843,126	\$1,764,481	\$1,764,481	\$1,457,963	\$1,283,987	\$885,135
Property Ratings:						
Location	superior	superior	superior	superior	similar	similar
Lot Utility	similar	similar	similar	inferior	inferior	inferior
Dwelling Condition	much superior	much superior	much superior	much superior	much superior	superior
Dwelling Size	inferior	inferior	inferior	inferior	inferior	inferior
Other	superior	superior	superior	superior	sl. superior	sl. superior
Overall Rating	much superior	much superior	much superior	much superior	superior	inferior
Market Value of Dwelling on 2.0 Acres Prior to Easement			\$900,000			
Less Adjustment for 2,000 SF Easement			-\$4,200			
Opinion of Market Value of Dwelling on 2.0 Acres - After, Called:			\$895,000			

Reconciliation and Final Opinion of Damages

My analysis of market value and damages utilized available market data and generally accepted methodology. The results of the Sales Comparison Approach as presented herein are concluded reasonable overall in their reflection of the impact of the taking.

The subject dwelling is unusual in its poor condition versus the riverfront dwelling sales. I found no more relevant data and my reconciliation required use of reasoned judgement. While the data was directive, when not specific I concluded at the upper end of the range, or in other words, a conclusion that favored the highest impact of the taking within the range supported by the sales. As tested by a before and after analysis, based upon the value of the part taken, plus severance, and the lack of special benefits, it is my opinion that damages to value of the subject real estate are \$917,019.

It is my opinion that as of April 28, 2025, the taking results in the following damages and the subject exhibits the following market values, rounded, before and after the taking.

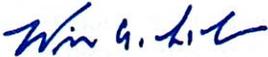
Summary of Damages	
Value Before the Taking	\$1,800,000
Value of the Taking	
Fee less 1,650 SF easement in 5.3 Acres	\$864,872
Permanent Easement	\$4,147
Improvements (fence and ramp)	\$3,000
Sub-Total	\$872,019
Severance	\$45,000
Special Benefits	\$0
Damages	\$917,019
Value After-Calculated	\$882,981
Value of the Remainder, Called	\$885,000

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Certification

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- I have provided an appraisal of this property in the three years preceding my acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- The Appraisal Assignment was not based upon a requested minimum valuation, a specific valuation, or the approval of a loan.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the persons signing this certification.
- 
- As of the date of this report William A. LaChance has completed the continuing education program of the Appraisal Institute.

Assumptions and Limiting Conditions

1. This appraisal is based upon the condition of the National and Regional Economies, the purchasing power of the dollar and financing rates prevailing as of the effective date of appraisal.
2. This report expresses the opinion of the signer as to the market value and allocation of market value for the subject property as of the effective valuation date and in no way been contingent upon the reporting of a specified value nor of any finding to be reported.
3. No responsibility is assumed for matters legal in nature nor is this report to be construed as rendering an opinion of title, which is assumed to be good.
4. The subject properties have been appraised as though fully merchantable and under responsible ownership without regard to existing encumbrances, if any, such as tax liens, mechanic's liens, mortgages, etc., except as noted herein.
5. Areas and dimensions stated in this report are based upon the appraiser's measurements as well as upon plot plans, legal descriptions, and plans provided by the Municipality, client, property owner, and/or Registry of Deeds and are considered authoritative for the purpose of this report.
6. The exhibits included with this report are intended to provide visual assistance to the reader and were prepared by the appraiser for illustrative purposes only.
7. The appraiser made no survey of the properties and assumes that there are no hidden or inapparent conditions of the properties, subsoil or structures, which would make them more or less valuable. The appraiser assumes no responsibility for such conditions or for engineering, which might be required to discover such factors.
8. The execution of this appraisal does not obligate the appraiser to give court testimony. If this is necessary, a separate agreement covering additional time and material expense incurred by the appraiser in preparing for and delivery of that service will be required.
9. Possession of a copy of this report does not carry with it the right of publication nor may it be used for any purpose by anyone but the client without the previous written consent of the appraiser. If consent is granted, the report must be used in its entirety.
10. No environmental impact studies were either requested or made in conjunction with this appraisal, and the appraiser hereby reserves the right to alter, amend, revise, or rescind any of the value opinions based upon any subsequent environmental impact studies, research or investigation.

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11. Disclosure by the appraiser of the contents of this appraisal report is subject to review in accordance with the bylaws and regulations of the professional appraisal organizations with which the appraiser is affiliated.
12. All facts set forth in this report are true and accurate to the best of the appraiser's knowledge. Information furnished by others is believed to be reliable but is not guaranteed.
13. In this appraisal assignment, the existence of potentially hazardous material used in the construction or maintenance of the building, such as the presence of urea-formaldehyde foam or asbestos insulations, and/or the existence of toxic waste, which may or may not be present on the property, was not identified by the appraiser. However, I advise the client to investigate the location of the oil tanks and the type heating pipe insulation in the basement. I have not been provided with a site assessment report and have also not performed comprehensive independent investigations regarding the presence of toxic waste, asbestos, etc. as I am not qualified to detect such substances. The existence of other potentially hazardous waste material may have an effect on the value of the property. The appraiser urges the client to retain an expert in this field if desired.
14. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.

Addenda

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Appraiser Qualifications

WILLIAM A. LACHANCE, MAI, SRA

PLRP, LLC – PO Box 442, Hathorne, MA 01937 | (617) 522-0022 | wlachance@verizon.net

SUMMARY OF QUALIFICATIONS

William A. LaChance is a partner at Petersen LaChance Regan Pino, LLC, a real estate services firm established in 1994 with public, private, and institutional clients throughout New England. Mr. LaChance provides appraisal and consulting services involving rights in real estate for purchase or sale, financing, eminent domain, IRS reporting, and tax appeal. Appraisals include tracts for residential subdivision or parcels for commercial or industrial development. Improved properties appraised include retail, office, industrial, and residential. Mr. LaChance has extensive subdivision, easement and other partial-interest appraisal experience as well as special purpose property appraisal experience concerning automobile dealerships, marinas, self-storage facilities, corridors, farmland, and contaminated sites.

Mr. LaChance has provided municipalities, various agencies of the Commonwealth, and the federal government with appraisals of real estate proposed for partial acquisition by eminent domain. Mr. LaChance has also performed numerous appraisals and review appraisals concerning development rights valuation for the Massachusetts Department of Agricultural Resources and for other state and federal agencies. Among the many courses and exams successfully completed are the Uniform Appraisal Standards for Federal Land Acquisitions, ASFMRA Courses 380 & 390 concerning appraisal review, and the Appraisal Institute's Valuation of Conservation Easements.

PARTIAL LIST OF LARGE APPRAISAL ASSIGNMENTS

- Miles of natural gas pipeline easements through numerous properties in different ownerships
- A tax appeal concerning a 300,000 square foot office building
- A portfolio of 90+ parcels comprised of vacant land, strip retail, office, and industrial properties
- A large yacht club and function center
- Market rent and market value of an oceanfront peninsula improved with 165 rental cottages
- A southeastern Massachusetts cranberry bog market study
- 1.1 million square feet of office and industrial space in 11 buildings on 265 acres
- 40 residentially zoned acres improved with a 10,000 square foot estate dwelling, before and after receipt of a Zoning Appeals Board decision that would allow commercial/office and multi-family development

EMPLOYMENT HISTORY

Hunneman Appraisal & Consulting Company, Boston, MA – Vice-President Performed diverse commercial, industrial, and residential property appraisal.	1986-1993
R.M. Bradley and Company, Inc. Boston, MA Commercial and Residential Property Appraiser and Ad Valorem appraisal	1982-1986
Robert J. Finnegan and Associates, Acton, MA Staff appraiser specializing in mass appraisal for Ad Valorem tax assessment.	1980-1982

EDUCATION

North Adams State College (now Massachusetts College of Liberal Arts), North Adams, MA B.S. in Business Administration	1976
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PROFESSIONAL DESIGNATIONS AND LICENSES

Member of Appraisal Institute since 1992 (MAI #9433), (2010 Chapter President)
Senior Residential Appraiser since 1988, (SRA #2266)
Certified General Appraiser since 1992, Massachusetts (License #497)
Real Estate Broker since 1979, Commonwealth of Massachusetts (License # 104087)

ADDITIONAL MEMBERSHIP

International Right of Way Association

COURT TESTIMONY

Mr. LaChance has qualified as an expert witness before the Appellate Tax Board of the Commonwealth of Massachusetts, Suffolk County Superior Court, Essex County Superior Courts in Lawrence and Newburyport, Norfolk County Probate Court, Middlesex County Superior Court, and U.S. District Courts in Worcester and Boston, Massachusetts.

Subject's Outstanding Deed

MASSACHUSETTS QUITCLAIM DEED INDIVIDUAL (LONG FORM) 602

04/06/94 11:29 Inst 180
BK 12514 PG 522

22

I, Howard D. Hill,
of 12 Auburn Street, Newburyport, Essex

County, Massachusetts

~~being granted~~, for consideration paid, ~~and in full satisfaction of~~ as set forth in a Judgment of Divorce
Nisi between Howard D. Hill and Joyce E. Hill dated November 18, 1991 as of June 27, 1991
~~granted~~ on file with the papers in Docket No. 89D-0660 in the Essex Probate and Family
Court grant to Joyce E. Hill, individually, of 309 East Broadway,
of Haverhill, Essex County, Massachusetts with quitclaim covenants

~~showing~~ two certain parcels of land with the buildings thereon, situated in Haverhill,
Essex County, Massachusetts, bounded and described as follows:
~~(Description of parcels, if any)~~

FIRST PARCEL

A certain parcel of land with the buildings thereon situated on East Broadway in said
Haverhill and shown on "Plan of Land Conveyed by Charles W. Eaton to Charles P. Ellis,
Haverhill, Mass., March 1921, John T. Desmond, Civil Engineer," and bounded and described
as follows: Beginning at the Northwestern corner thereof at a bound on the Easterly
side of said East Broadway by land now or formerly of Kenneth C. Lathan; thence running
Southeasterly four hundred twenty-eight (428) feet; thence running Southwesterly by Parcel
#2 on said plan, fifty (50) feet to a point; thence running Southeasterly by said parcel
ninety-four (94) feet, more or less to the Merrimack River; thence running Southwesterly by
said River about five hundred twelve (512) feet to land of Nettie N. Bemis three hundred
sixty-one feet, more or less, to said East Broadway; thence running Northeasterly by said
East Broadway about four hundred thirteen and two-tenths (413.2) feet to the point of
beginning. Subject to easements, conditions, restrictions and rights of record only
insofar as the same may now be in force and applicable.

SECOND PARCEL

The land situated on the easterly side of East Broadway in the City of Haverhill, contains
2.4 acres, and being Lot 5, Block 180, Plan 450 in the Assessors' Office in said City of
Haverhill, in accordance with the Assessors' Map 1942 and 1945, and being more particularly
described on Plan prepared by Harry W. Bailey, City Engineer dated July 1954 and recorded
in said Registry. Said Lot being further bounded and described as follows:

~~Beginning at the northwesterly corner thereof at a bound on the Easterly side of said
East Broadway by land described in the above parcel; thence running~~

- SOUTHEASTERLY 361 feet more or less; to the Merrimack River; thence running
- SOUTHWESTERLY by said River about 258 feet more or less to land now or formerly
of Ada Langlois; thence running
- NORTHWESTERLY by land of Ada Langlois 343 feet more or less to said East Broadway,
thence running
- NORTHEASTERLY by said East Broadway 200.16 feet more or less to the point of
beginning.

Subject to easements, conditions, restrictions and right of record if in force and effect.

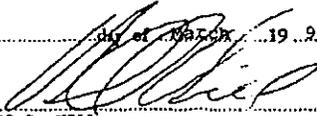
For Grantor's title, see deed of Robert C. Mathieson dated September 20, 1976, recorded
in the Essex South District Registry of Deeds at Book 6281, Page 227.

PROPERTY ADDRESS: 309 East Broadway, Haverhill, MA


04/06/1994 Doc: 0180

BK 12514 PG 523

Witness his hand and seal this 2nd day of March 19 94

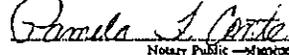

HOWARD D. HILL

The Commonwealth of Massachusetts

Essex ss. March 2, 19 94

Then personally appeared the above named Howard D. Hill*****

and acknowledged the foregoing instrument to be his free act and deed, before me

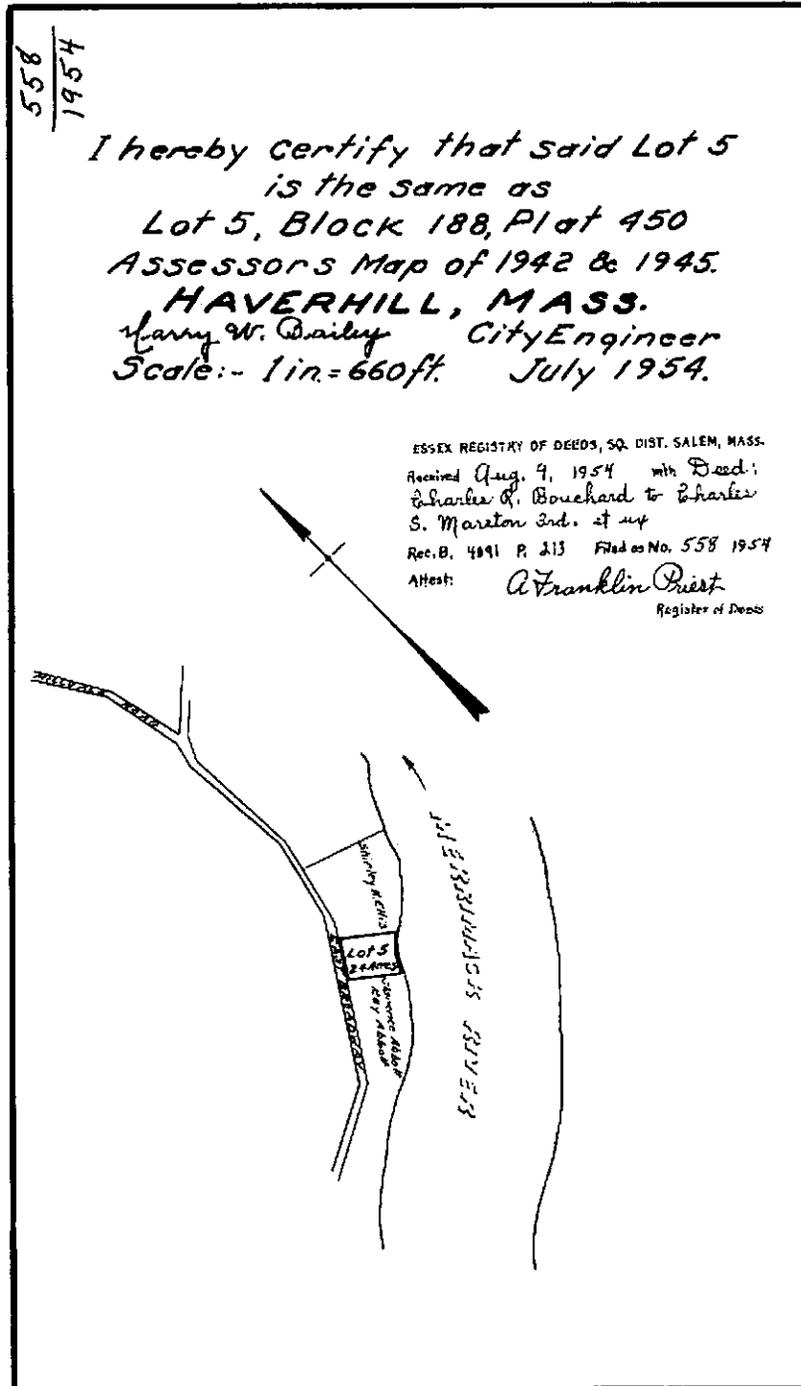

Notary Public - ~~MASSACHUSETTS~~

My Commission Expires November 22, 19 96

CHAPTER 183 SEC 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

Recorded Plan of Subject's Southerly Portion
(Abutting the southwest or right of preceding plan)



NRCS Soils Map



FEMA Map



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Response to Appraiser's Water Flow Questions

The following is a response to Bill LaChance's questions regarding FEMA Mapping and impacts from operation of the municipal well (radial collector well). Please let me know if you have any comments. Bill's email (wlachance@verizon.net) indicated it was no longer valid. Would you be able to forward along the responses? Thank you.

FEMA FIRM Mapping Changes

The proposed site is located within flood zones AE and X per FEMA FIRM mapping. However, surrounding topography and characteristics of the Merrimack River in this area indicated that this was drawn incorrectly, most likely caused by the lack of detailed cross sections through this stretch of river. As a result, Wright-Pierce submitted a Letter of Map Revision (LOMR) to FEMA to formally amend the maps. See enclosed Figure that shows how the flood way was adjusted closer to the Merrimack River.

Groundwater and Merrimack River Flow

When the municipal radial collector well is operating, we anticipate 75% or more of the water will be derived from the Merrimack River through induced infiltration.

Additionally, an analysis was performed to determine the impact of the anticipated 7.0 MGD withdrawal on river flows using StreamStats, a Geographic Information System (GIS) map based, spatial analytical tool provided by the United States Geological Survey (USGS). It was concluded that, under low flow conditions of the Merrimack River, the proposed 7.0 MGD withdrawal would reflect approximately 0.16% which of the overall river flow.

Upon installation of the radial collector well, a prolonged pump test will take place. During the test; flow rate, drawdown within the collector well and nearby monitoring wells as well as the Merrimack River; will be monitored to ensure there are no impacts. Results will be submitted to MassDEP for approval prior to operating the municipal well.

Thank you,
Amy

Amy Coppers Costantino, PE
Wright-Pierce | Technology Leader I
direct 978.416.8019 | cell 617.750.3052



PROCLAMATION

MAR 13 09:25
HALLMARK

WHEREAS, Hailing from the Emerald Isle, generations of Irish men and women have helped shape the idea of America, overcoming hardship and strife through strength and sacrifice, faith and family, with an undying belief that tomorrow always yields a brighter day; and

WHEREAS, Irish-Americans have distinguished themselves in every sector of American life with many among the signers of the Declaration of Independence, some Presidents of the United States tracing their roots to Ireland, and Henry Ford, founder of one of America's iconic companies being the son of an Irish immigrant; and

WHEREAS, For centuries, with the tenacious Irish spirit, religious devotion, strength rooted in the love of family, Irish-Americans have engaged the American Dream in dynamic and meaningful ways for the betterment of our Country; and

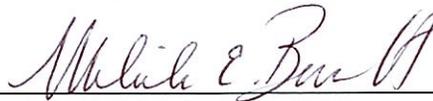
WHEREAS, During the month of March, Americans across the Nation will celebrate the patron saint of Ireland and don the "wearing of the green" to celebrate the heritage and contributions of Irish Americans.

NOW, THEREFORE LET IT BE PROCLAIMED THAT I, MELINDA E. BARRETT, MAYOR OF THE CITY OF HAVERHILL, MASSACHUSETTS, DO HEREBY DECLARE MARCH 17th, 2026,

IRISH AMERICAN HERITAGE MONTH

In the City of Haverhill and urge all citizens to join me in observing the contributions of all Irish Americans to the City of Haverhill.

IN WITNESS WHEREOF, I hereunto
Set My Hand and Caused The Seal Of The
City Of Haverhill To Be Affixed This 17th
Day Of March, In The Year Of Our Lord
Two Thousand and Twenty-Six



MELINDA E. BARRETT, MAYOR

CITY COUNCIL

Timothy J. Jordan, *President*
John A. Michitson, *Vice President*
Thomas J. Sullivan
Colin F. LePage
Melissa J. Lewandowski
Catherine P. Rogers
Shaun P. Toohey
Michael S. McGonagle
Daniel R. Diodati
Devan Ferreira
Ralph T. Basiliere



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CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

DOCUMENTS REFERRED TO COMMITTEE STUDY

103-HH	Motion by Councilor Michitson to send the <i>Home Rule Petition – An act establishing guidelines for the installation of and use of Electric vehicle charging stations in the City of Haverhill</i> , to committee in order to coordinate with condo associations.	A&F	12/23/23
40	Motion by Councilor Lewandowski to send updated Cannabis Social Equity Best Practices for the Cannabis Control Commission to A&F for further review.	A&F	4/2/24
12-S	Motion by Councilor Ferreira to send the City’s Swimming Ordinance Chapter 193 Article III and related items at Lake Saltonstall, aka Plug Pond to NRPP for further discussion.	NRPP	6/18/24
33-F	Motion by Councilor Basiliere to send resident winter parking concerns and offer suggestions for improvements	Public Health Safety	3/11/25
33-L	Motion by Councilor Lewandowski to send Bill 3360 (vacancy tax on residential properties) for review and also further review of MVSP (Massachusetts Vacant Storefront Program)	Planning & Development	6/24/25
33-P	Motion by Councilor Ferreira to send for review as to what our local strategies are for traffic and safety as well as looking into these intersections for public safety (Amesbury Line Road/Merrimac Road)	Public Health Safety	9/16/25
94-B	Motion by Councilor Ferreira to look at updating the standards of Ch. 250 article VI of the Haverhill Zoning Code regarding water use restrictions established in 2016	Planning & Development	9/16/25
33-T	Motion by Councilor Lewandowski to establish a working group previously discussed implementing a control management plan for the vegetation in Riverside Park/Edible Avenue along the river	NRPP	9/30/25
85-E	Motion by Councilor Michitson to send Judi Barrett’s progress report on the fiscal impact analysis prepared for Council for further discussion	Planning & Development	12/9/25
1-F	Motion by Councilor Lewandowski to send for discussion relative to establishing or formalizing an ordinance regarding water conservation program	Planning & Development	1/27/26

FEB 20 AMB:27
HAUGHTY/CLERK