

**HAVERHILL PLANNING BOARD
MEETING MINUTES**

DATE: Wednesday, June 9, 2021

Place: City Council Chambers – Room #202 City Hall

Time: 7:00 PM

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

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

Approval of Minutes: May 12, 2021
May 12, 2021

After board consideration, Member Robert Driscoll motioned to approve the May 12, 2021 meeting minutes. Member William Evans seconded the motion.

Karen Peugh – yes
Bill Evans – yes
Karen Buckley – yes
April DerBoghossian, Esq.- absent
Kenneth Cram – absent
Nate Robertson- yes
Robert Driscoll – yes
Paul Howard – yes
Ismael Matias - yes
Motion Passed.

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

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Public Hearings:

Frontage Waiver for 606 Salem Street:

At the beginning of the meeting the rules of public hearings were stated by the Member Karen Peugh.

Mr. Pillsbury: As you know, we have had some frontage waivers over the last couple of months. The Planning Board has a limited role acting on these. We are only looking at whether there is adequate access to the buildable portion of the lot via the reduced frontage. The frontage has already been granted in this particular case. There has been no appeal taken. With that I would recommend approval of the frontage waiver. This has been reviewed by the building inspector and city engineer.

Chairman Howard: Is there anyone from the public who wishes to speak? Hearing none, I am going to close the public portion of the hearing. We already have the recommendation of the Planning Director.

After board consideration, Member Nate Robertson motioned to approve the frontage waiver for 606 Salem Street as recommended by the Planning Director, William Pillsbury. Member Ismael Matias seconded the motion.

Member Nate Robertson: yes
Member Karen Peugh: yes
Member William Evans: yes
Member Karen Buckley: yes
Member April DerBoghosian, Esq.: absent
Member Kenneth Cram: absent
Member Robert Driscoll: yes
Member Ismael Matias: yes
Chairman Paul Howard: yes
Motion Passed.

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

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

Online application
Frontage waiver plan, 5/25/21
Application for frontage waiver
Letter from Susan MacDonald, 4/14/21
Form D

Frontage Waiver for 333 North Broadway:

At the beginning of the meeting the rules of public hearings were stated by the Member Karen Peugh.

Mr. Pillsbury: The frontage has already been granted in this particular case. There has been no appeal taken. This has been reviewed by the building inspector, city engineer and myself as to whether there is adequate access via the reduced frontage and there is. With that I would recommend approval of the frontage waiver.

Chairman Howard: Is there anyone from the public who wishes to speak? Hearing none, I am going to close the public portion of the hearing. We already have the recommendation of the Planning Director.

After board consideration, Member Nate Robertson motioned to approve the frontage waiver for 333 North Broadway as recommended by the Planning Director, William Pillsbury. Member Ismael Matias seconded the motion.

Member Nate Robertson: yes
Member Karen Peugh: yes
Member William Evans: yes
Member Karen Buckley: yes
Member April DerBoghosian, Esq.: absent
Member Kenneth Cram: absent
Member Robert Driscoll: yes
Member Ismael Matias: yes
Chairman Paul Howard: yes
Motion Passed.

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

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

Online application
Frontage waiver application

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Letter from Jack Tatiosian, 4/29/21
Form D
Frontage waiver plan, 4/29/21

Definitive Plan for 1240 Boston Road:

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

Mr. William Pillsbury: I just wanted to remind the board this had been before City Council and they have received a special permit for this project.

Attorney Paul Magliochetti of 70 Bailey Blvd. addressed the board. I am here this evening on behalf of Boston Haverhill LLC. A special permit was granted last month to build six triplex units on this property. (inaudible) The current owner is going to continue living there. I will introduce TJ Melvin from Millennium Engineering.

Mr. TJ Melvin of Millennium Engineering addressed the board. We are proposing the 479' dead end cul-de-sac, with 28' wide pavement. There will be a sidewalk along one side of the driveway. We plan to connect both water and sewer to the City's utilities. To account for any storm water increases we designed catch basins to treat the storm water before it enters. As Paul mentioned we do have 6 out of 7 lots are triplexes. We have a wetland in the back left of the property (inaudible). The Conservation Commission has voted to approve an Order of Conditions. They have asked us to add some minor details to the final plan, showing the piping into the drywells. We have received comments from the majority of the city departments. We did receive comments from Glenn Smith that didn't make it on the portal. They had asked us to extend the 12" watermain at the intersection of Farrwood Drive to our property and connect our water (inaudible) main to that. I would be happy to go through any specifics of the project.

Mr. Pillsbury: In terms of that particular item are you willing to add that as a note to the plan?

Mr. Melvin: Yes, I am sure Glenn will want us to show the details of how we are going to connect it. We will work with him. We just hadn't really seen any other specific details with what he is looking for with that. But yes, we would be willing to work with the city.

Mr. Pillsbury: We would want to see those added as notes...should the board approve this plan tonight we would want to see those added as notes during the appeal period.

Mr. Melvin: Sure.

Mr. Pillsbury: Just a continuing on that I know one of the waivers and the board has expressed concern about this in the past when there is a waiver for sidewalks. I know the city engineer requested that there be a commitment of sidewalks (inaudible) in lieu of the fact that they are not going to be placed in the project, that they be placed in the vicinity of the project where possible. Is that something you are prepared to add to the plan as well?

Mr. Melvin: Yes.

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Mr. Pillsbury: This would also be true for Conservation. I think they had three points.

Mr. Melvin: Yes.

Chairman Howard: Any questions from the board? Is there anyone from the public who wishes to speak on this project? Hearing none, we are going to close the public portion of the hearing and open it up to questions from the board?

Mr. Pillsbury: This is a request for approval of a definitive plan for a new roadway, one single family home (existing) and 6 three family dwellings. This plan has received a special permit from the city council and no appeal was taken. The purpose of this definitive plan is to confirm the incorporation of any conditions placed on the special permit plan. TJ, I didn't mention one condition and that was specific to the City Council there would be a fence along the property line with the abutting property. Is this something you are willing to add?

Mr. Melvin: Yes.

Mr. Pillsbury: Thank you, I just want to get that on the record. The city departments have reviewed the plan and no objections have been received. I recommend the approval of the definitive plan with any notes or comments from the city departments being added to the final plan during the appeal period and prior to final plan endorsement.

WAIVERS:

Member Nate Robertson read the waiver into the record:

Section 5.1 Street Design Standards General: Street jogs with centerline offsets: 125' required 31' proposed.

Member Driscoll made a motion to accept. Seconded by Member William Evans.

Nate Robertson – yes
Karen Peugh – yes
Bill Evans – yes
Karen Buckley – yes
April DerBoghossian, Esq.- absent
Kenneth Cram – absent
Ismael Matias - yes
Robert Driscoll – yes
Paul Howard – yes
Motion passed.

Member Nate Robertson read the waiver into the record:

Section 5.1 Streets Design Standards, Sidewalks: Sidewalks on both sides of the street are required; a sidewalk is proposed on one side of the street. (Mr. Pillsbury noted that the developer agreed to submit to a sidewalk fund in lieu of second sidewalk)

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Member Driscoll made a motion to accept with the condition as established by the Planning Director. Seconded by Member William Evans.

Nate Robertson – yes
Karen Peugh – yes
Bill Evans – yes
Karen Buckley – yes
April DerBoghosian, Esq.- absent
Kenneth Cram – absent
Ismael Matias - yes
Robert Driscoll – yes
Paul Howard – yes
Motion passed.

Member Nate Robertson read the waiver into the record:

Section 5.1 Streets, Design Standards, Street Lights: Streets lights are required, no street lights are proposed.

Member Driscoll made a motion to accept. Seconded by Member William Evans.

Nate Robertson – yes
Karen Peugh – yes
Bill Evans – yes
Karen Buckley – yes
April DerBoghosian, Esq.- absent
Kenneth Cram – absent
Ismael Matias - yes
Robert Driscoll – yes
Paul Howard – yes
Motion passed.

Member Nate Robertson read the waiver into the record:

Section 5.1 streets, Design Standards, Street grading/roadway surfacing: The roadway centerline is required to coincide with the right of way centerline, the roadway centerline is offset from the right of way centerline by 7'.

Member Driscoll made a motion to accept. Seconded by Member William Evans.

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

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Kenneth Cram – absent
Ismael Matias - yes
Robert Driscoll – yes
Paul Howard – yes
Motion passed.

Member Nate Robertson read the waiver into the record:

Section 5.2 utilities, drainage facilities, 12: reinforced concrete pipe is required, HDPE pipe is proposed.

Member Driscoll made a motion to accept. Seconded by Member William Evans.

Nate Robertson – yes
Karen Peugh – yes
Bill Evans – yes
Karen Buckley – yes
April DerBoghosian, Esq.- absent
Kenneth Cram – absent
Ismael Matias - yes
Robert Driscoll – yes
Paul Howard – yes
Motion passed.

Vote

Member Robert Driscoll motioned to approve the definitive plan with the conditions that any notes or comments being added to the plan during the appeal period and prior to final plan endorsement. Seconded by Member Nate Robertson.

Nate Robertson – yes
Karen Peugh – yes
Bill Evans – yes
Karen Buckley – yes
April DerBoghosian, Esq.- absent
Kenneth Cram – absent
Ismael Matias - yes
Robert Driscoll – yes
Paul Howard – yes
Motion Passed.

City department reports are attached to and considered part of this board's decision and notice of decision. Any appeal of this board's decision and notice of decision shall be taken in

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accordance with M.G.L. Chapters 40A and 41 within twenty (20) days of the board's filing of this decision/notice of decision with the city clerk.

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

Online application

Stormwater Management Report, 3/12/21 (revised 5/5/21)

Definitive Subdivision plan for Boston Road, 1/21/21

Form C

Form F Covenant

Form D

Form D-1

Letter from David O'Leary, 3/8/21

Statement of Environmental impact

Traffic impacts, Bayside Engineering, 12/3/20

Response to departments issued during special permit application process, 6/3/21

Zoning Amendment for 887 Boston Road:

At the beginning of the meeting the rules of public hearings were stated by the Member Karen Peugh.

Please note at the June 9, 2021, Planning Board meeting held at 7:00 pm in the City Council Chambers the board considered the recommendation of the Planning Director, William Pillsbury, Jr., to forward a favorable recommendation for a zoning amendment for 887 Boston Road.

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

Mr. William Pillsbury addressed the board. All of you have been involved in during the establishing of our masterplan over the last year and a half creating the new masterplan and then creating the new zoning. The new zoning implements that masterplan. What we have this evening is the first of hopefully a number of projects that will come forward that are utilizing the new tools that we have in the toolbox of the zoning ordinance to create zoning for projects that make sense. It is the form-based zoning code that we envisioned for the city. Try to move projects appropriate for the area that they are in to fit the land as opposed to fitting some kind of zoning construct that is arbitrarily imposed on the land. What you have in front of you tonight is a joint effort of Princeton Properties and Mark Bobrowski as our zoning attorney. They have worked very hard to draft this document. What we have in front of us tonight is the synopsis or the framework for this project that will be coming forward in the future. It's basically market rate rental project with commercial uses as well. All of this will be accessed from Boston Road. There will be no entrance onto Route 125. It will all be accessed from the signal and the traffic will go through the signal from Boston Road. Again, that is a major design point in the beginning. The project is at the former DiBurro's Function Facility. (inaudible) with that I would introduce the applicant.

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Jeff Brown, General Counsel with Princeton Properties addressed the board. We have many apartments throughout Massachusetts (inaudible). We have been doing this since 1970. We do the entire process. From the ground up permitting, to building, to onsite property management. We have developed quite a team over the years. It has been a pleasure to work with Mr. Pillsbury and Attorney Bobrowski on this new tool as Mr. Pillsbury described. The tool is the ability to create a flex zone within a known zone for a beneficial use. As Mr. Pillsbury indicated that is what we have proposed here. That tool is actually zoning ordinance ----- which allows this very specific zoning consequence. That is what has been done. We have worked with Mr. Pillsbury and Attorney Bobrowski to create a new zone and zoning district that zoning dimensions, everything (inaudible). This property is about 6.5 acres in size. It will be approximately 152-153 apartments (we are still in the conceptual phase) as well as a retail site on the property. All access, public utilities will be on the Boston Road side of the property. This will minimize traffic, congestion. This is the former DiBurro's site. A small portion of the site will be retained by the DiBurro Family, we expect with some commercial use (inaudible) fire emergency access that is gated and going back out to Route 125 (inaudible). The district goes as a normal district. You have the purpose of the district. You have the right of uses multi-family dwelling and a retail establishment. We have set forth the various dimensional area that meet the site. The multifamily portion is on a little over 5 acres of land and the retail portion 0.4 acres of land. The frontage for multifamily is 350' and commercial is 100' we have set a maximum building height of 70'. There are restrictions for the commercial with any district there is setback to boundaries. We have setback criteria between the buildings. We have conceptual design for parking spaces. We are somewhere between 1.5 – 1.6 spaces per unit. We have crafted the zoning unit per district. 1.5 for commercial is one space for 200 square feet. You work through the performance standards. This is a tool that really involves three steps. It goes before Planning for a recommendation, City Council and the developmental review process with the various city departments. At this stage we are trying to design the zoning district. The refinement of the plan will come through council process. These are very conceptual in nature. (inaudible)

Mr. Pillsbury: If I may add to it the role of the Planning Board has changed in some ways. There was always a time we would make recommendations to the City Council on special permit. In this case there is no special permit. This is on the zoning amendment. We are looking specifically at the zoning tonight. This is designed for a very specific project. We removed multiply steps for the city departments looking at the same thing three different times. It really expedites the process. (inaudible) I know that the developers, a lot of them have indicated this is a real plus for Haverhill. Mr. Chairman, you might want to ask if anyone would like to speak on this.

Chairman Howard: There is nobody here.

Mr. Pillsbury: I would like to propose a favorable recommendation to the city council on the proposed zoning amendment.

Member Karen Peugh: Asked should the parking reads 1 space per 1.5 dwelling units?

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Mr. Pillsbury: My mistake it should read 1.5 spaces per dwelling unit.

Member Karen Peugh: Is the commercial units going to be separate from the residential?

Attorney Brown: Yes, there is a plan in the packet. The property is somewhat triangular in shape. At the point of the triangle would be a separate retail building. We spelled out some of the uses. The remaining portion of the site is approximately 5.5 acres will be entirely multifamily, no mixed use at all.

Mr. Pillsbury: The concept and we had this discussion with the Mayor and the developer in this approach to zoning is very important. It is to have ancillary commercial uses related to the project. In another words its service commercial related to the fact that you are going to have 152-153 units there.

Attorney Brown: We built a similar project in North Andover with the same type of ancillary uses, such as coffee shop, dry cleaners.

Member Nate Robertson: I look at this project and the area that it is located in very favorably and definitely commend to sort of expediate the process. My question is in regard to affordability. That might be putting the cart before the horse but is there any consideration as to what the project will look like in terms of market rate verse affordable units.

Attorney Brown: This is market rate. There will be one bedroom that will obviously be cheaper. It will be half and half. One bedroom and two bedrooms. That has a lot to do with.... affordability requires a lot of governmental subsidized loans.

Chairman Howard: Any other questions? Hearing none, will close the public portion of the hearing and open it up to comments from the Planning Director.

Mr. Pillsbury: I would recommend a favorable recommendation to the City Council on the proposed zoning amendment.

Member Robert Driscoll motioned to make a favorable recommendation to the City Council for the zoning amendment for 887 Boston Road. Seconded by Member Nate Robertson.

Nate Robertson – yes
Karen Peugh – yes
Bill Evans – yes
Karen Buckley – yes
April DerBoghosian, Esq.- absent
Kenneth Cram – absent
Ismael Matias - yes
Robert Driscoll – yes
Paul Howard – yes
Motion Passed.

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

Definitive Escrows: None at this time.

Reminders for escrow: None at this time.

Form A Plans: Paul and Elaine Wozny for 10 Corliss Hill Road.

Member William Evans motioned to approve and endorse the Form A for 10 Corliss Hill Road. Seconded by Member Robert Driscoll. All members present voted in favor. Motion Passed.

Endorsement:

235 Essex Street – no mylars submitted.

66 Emerson Street – no mylars submitted.

0 Creek Brook Drive – Member Robert Driscoll motioned to endorse the plans for 0 Creek Brook Drive. Seconded by Member Karen Buckley. All members present voted in favor. Motion Passed.

Any other matter:

Meeting adjourned.

Signed:

Paul Howard
Chairman