

**HAVERHILL PLANNING BOARD  
MEETING MINUTES**

**DATE: Wednesday, December 9, 2020**

**Place: ONLINE MEETING DUE TO COVID-19**

**Time: 7:00 PM**

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

Members Absent:                      Member Ken Cram  
   Member Nate Robertson

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

**Approval of Minutes:**                      October 14, 2020 (no meeting November 11, 2020)  
**October 14, 2020**

After board consideration, Member Robert Driscoll motioned to approve the October 14, 2020 meeting minutes. Member William Evans seconded the motion.

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

Mr. William Pillsbury: Read the conduct of hearings into the record ONLINE VERSION.

**Public Hearings:**

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**235 Essex Street Definitive Plan**

Mr. Pillsbury: Read the online public hearing rules.

Mr. Pillsbury: This was approved by the City Council for a special permit. There is a requirement to come back before the Planning Board with a definitive plan. This is kind of a confirmatory definitive plan. This plan was approved by City Council and with that Mr. Pascoe, I believe he is online

Mr. Steven Pascoe addressed the board. This is a 27 unit residential multifamily. We previously received the special permit. The definitive plan has been submitted. We received back from the department heads comments. We believe most of the comments will be addressed through the permitting process. There was nothing major. We were pending Conservation. Bill, did Conservation get in touch with you regarding comments that were under review?

Mr. Pillsbury: Yes, I had a call today from Rob Moore that basically Conservation's position is that you are in good shape. That is why we continued this one last month. He had begun the process with Conservation and Rob Moore feels very positive of where they are. They will be getting their NOI approved soon.

Mr. Pascoe: Because Conservation meeting is tomorrow night, Mr. Moore was going to make a favorable recommendation due to the fact that we are addressing all comments and like you said we will be in good shape with them.

Mr. Steve Stapinski, Merrimack Engineering Services. Mr. Moore and I did agree on how all the peer review comments will be addressed.

Chairman Howard: Any questions from the board? Is there anyone from the public who wishes to comment on this project? Hearing none, I am going to close the public portion of the hearing and open it up for comments from the Planning Director.

Mr. Pillsbury: This project was approved by the City Council for a special permit and now is filing a definitive plan under zoning. We reviewed this project previously and sent a favorable recommendation to the Council. It is an excellent investment in the City, and I continue to believe it will be a strong investment there. It will be positive in that area and very much needed housing. We hear a lot and know that we have a housing crisis across the commonwealth. Haverhill is no exception. Adding these units will be a positive thing. The applicant has moved substantially forward with Conservation and that is the one remaining issue with the strong commitment from the applicant and with improvements along the Little River so we can actually have the little walkway along. That was part of the approval, if you remember. I recommend that we approve the definitive plan with any notes or final revisions being incorporated into the plans during the appeal period and prior to final plan endorsement.

Member Karen Buckley motioned to approve the definitive plan with the conditions that any notes or additions being added to the plan during the appeal period and prior to final plan endorsement. Seconded by Member William Evans.

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Nate Robertson – absent

Karen Peugh – yes

Bill Evans – yes

Karen Buckley – yes

April DerBoghosian, Esq.- yes

Kenneth Cram – yes

Ismael Matias- yes

Robert Driscoll – yes

Paul Howard – yes

Motion Passed.

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

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

- Online application
- Form C
- Form F
- Form D-1
- Form D
- Definitive Plan dated 8-13-20

### **Frontage Waiver for 211, 219-223 Lincoln Avenue:**

Mr. Pillsbury, Planning Director: Went over the online rules of the public hearing.

Mr. Pillsbury: In this particular case we have a parcel of registered land that needs to go the land court. The plan that we have is a little bit more extensive than a normal frontage waiver; its actually the equivalent of a definitive plan. That definitive subdivision plan is what we will be acting on as well as its relevant waivers. These are waivers from the subdivision regulations because there is no construction going on. It is really the standard frontage waiver plus the fact that it is registered land and represents an actual subdivision of the land placing the new lot lines in where they actually go. We have done these before when they have been registered land. It's a little different but basically the same. What we are doing is creating two lots on Lincoln Avenue the former building 19 and now the CVS will be on two separate lots. There is no project coming forward tonight, its just a simple subdivision at this stage. I know Mr. Greenberg is on here and Attorney Levy is on there. Just let me know if you want to add any comments at this point.

Attorney Brian Levy addressed the board on behalf of the applicant Amerco. Norman Greenberg is on the line as well. He is the attorney for the owner and also the engineer Brian Dundon is on the phone. We are all here in case you folks have questions. I think Bill has given an excellent summary of the situation and what we are looking for tonight which would be the approval of the definitive plan and the

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approval of the list of waivers which includes the frontage waiver. I will stop there Bill because I think you summarized it well. We are here to answer your questions.

Mr. Pillsbury: Okay, thank you. Again, it's a little bit odd. Usually frontage waiver as we will discuss on the subsequent ones are limited to that one waiver. In this particular case because it is registered land and going to the land court it's the equivalent of a definitive plan. As I have said we have done them before. If the board has any questions, we can answer those. Mr. Chairman you may want to continue the hearing to see if anyone from the public.

Chairman Howard: Does the board have any questions? We would like to open it up to the public to see if they have any comments or questions.

Mr. Gary Evans of 637 Riverside Avenue. The variance was extended, and the variance is still in place?

Mr. Pillsbury: The Board of Appeals extended the variance. Again, this board did not grant the variance. The variance was granted by the Board of Appeals previously and the applicant applied for extension to that variance so that is still in place. What is happening tonight is the legal requirement that follows a frontage variance that there be a request filed for a frontage waiver. It is basically around the issue of access. Is there adequate access to the buildable portion of the lot. That is the primary issue with the frontage variance, and it has been reviewed by the City Departments, Building Inspector, City Engineer and Lincoln Avenue provides adequate access to the lots. The one difference between normal frontage waivers and this is that it is going to land court and does require the actual element of the definitive plan to be voted on as well.

Mr. Gary Evans: I am looking at the Board of Appeals notes and its saying that they were granted a six-month extension which would bring it to September 2020. Is that correct or am I reading it wrong?

Attorney Levy: Mr. Evans there were two extensions granted.

Mr. Evans: Okay, so there was another extension. My only comment is...I didn't go to the last meeting for the Board of Appeals meeting. It has been almost two years now. I would like to see something done. There are people camping out back of the building. There is all sorts of graffiti in the back of the building. There is trash and stuff that is gathering around. When they are asking the board in good faith to do something I would like to see them do something about cleaning the place up and making it less of a hazard. I think a good example is Kmart in Newburyport. You go by that and it looks great. It looks fantastic. Its too bad that its down. If we are downgrading this from a retail to essentially an industrial type use which is storage. I would rather see it go residential but I don't want to stand in the way of something being done there. I would like to see a little more good faith effort to try to clean the place up and make it look better because we are coming up on two years now since the variance was granted. When the variance was granted, I probably wasn't as aware. They brought the hardship onto themselves when they built the CVS and brought it to a lot of less than two lots. I don't know if they talked to the neighbor about purchasing the property. My only input is I would like to see a little more good faith and I would like to see improvements rather than just letting the property sit degrade and degrade the area.

Attorney Norman Greenberg, attorney for the owner spoke. Mr. Evans I can tell you that I have someone there 3 days a week that is always walking around the building and cleaning it up. We have cameras in

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the front and back and lighting. Any time there is something there the super picks it up. He spends a lot of time there. When he is there he is there for 8 or 9 hours a day taken care of the property. Obviously, there is not much we can do other than maintain it. We have the buyer here who wants to buy the property. They do not want to buy the CVS. In order to sell the building 19 building and most of the property we have to subdivide.

Mr. Evans: With all due respect if this was in your backyard I would think that you would maintain it at a higher level. I seriously do. I don't think your criteria of...you maybe making some effort and thank you for that...I appreciate it. I think that is a good thing that is not a bad thing. I think your level has to be a little bit higher than graffiti in the back. People going out back and I am watching cars race up and down the road, they hang around there. We have called the police on them. There are people camping. If you go right out behind your property there are some tents out there. I am just saying that the criteria that I would hold it to if Kmart can do it then we can do it. If you are asking the town to work with you so you can get an extra lot that's great. If it's a hardship if I had my way the agreement with CVS I would have taken down the building 19 building. I don't want to stand in the way of things but I would appreciate some more effort down there including taking off some of the graffiti down there and cleaning it up a bit. If you are going to sell the property and have money coming in and its imminent then spend some dollars to clean it up now you are going to have to clean it up anyway.

Attorney Greenberg: unfortunately when we clean up the graffiti it becomes a white board for more graffiti. Anything that is offensive we immediately paint over. The rest of the artwork is difficult to get rid of. If we create a big blank space that becomes an invitation for more graffiti.

Mr. Evans: There lies part of the problem. The property has been sitting there for two years since the variance and has been sitting there umpteenth years before then. It is going to continue to degrade. As winter comes along, maybe there won't be as many people out there...as spring comes along maybe there will be. I say again, this is my backyard. If this was your backyard...if this was your criteria for your backyard I challenge you to go to your house or anybody else house and say hey that is acceptable because you know what...if we clean up the graffiti they are just going to come back and do it again. Its not the criteria that I would use.

Attorney Greenberg: We are making every effort, Mr. Evans to sell the property. We really are. We have a potential buyer and this is one step that we have to take among other steps to sell the property. We are hoping within the next couple of months to have a closing. Then the property will be improved.

Mr. Evans: In two months if we don't close can we get a commitment that more will be done.

Mr. Pillsbury: I just want to make one thing clear about where we are in terms of procedure tonight. This board is not being asked to grant an extension. Tonight is in relative to the property that is allowed by law. Basically almost an approval not required scenario. In terms of process tonight that item would not be before the board.

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Mr. Evans: It is not like an approval not required. Approval not required needs to be approved. This does not compel you to go ahead and approve this. This is at your discretion. At your discretion that is the law.

Mr. Pillsbury: The discretion that we are using is very limited. It is related to the waivers that are requested. That is generally related as to whether there is adequate access to the portion of the lot that is being changed. That's the difference. Again the analogy to the ANR is we are placing lot lines in play. You are absolutely right, the discretion is what the board can do but it is really from a precedent point of view is limited in terms of the scope that we are looking at. Its not like we are looking at an approval of an extension or those types of things are the prevue of the Board of Appeals and those have been adjudicated, appeal periods have passed and we move forward to where we are right now of more of an administrative step.

Mr. Evan: So if its an administrative step and it's at your discretion what I am asking for is a little more effort as far as the property is concerned which is within your power. If its not within your power and you want to set the precedent that you don't even need to exist that all waivers are granted as long as they are minimal...what's the use of having any discretion.

Mr. Pillsbury: The discretion that you are talking about relative to graffiti and building code conditions is within the prevue of the building inspector. That is not really the prevue of the planning board. Again, I am trying to get us focused on the things that the Planning Board has at its discretion which is really to look at the plan, the elements of the plan that have been presented and see whether that complies with the law. Again, I am trying to keep us focused on the appropriate thing.

Mr. Evans: Your criteria is that whatever was approved was approved. I am not being...i don't quite understand your criteria.

Mr. Pillsbury: Our criteria is to look at the definitive plan, lot lines that have been placed on the page, look at the various setbacks and all the things that are related to the plan that have been filed and to look at from the waiver point of view whether there is adequate access to this parcel when you do all that, when you put the new lines on the parcel that were created and established by another board like the Board of Appeals. That is the criteria that we are looking at.

Two people talking at the same time inaudible.

Mr. Evans: I won't go on too much longer but if your only criteria is adequate access....

Mr. Pillsbury: That is the law, sir.

Mr. Evans: That is your only criteria?

Mr. Pillsbury: The only criteria for a frontage waiver...down the line later on there are much more of those frontage waivers coming up that is the only criteria we are empowered to look at under the state law.

Mr. Evans: So that is the only criteria, so if you have adequate access then nothing else matters.

Mr. Pillsbury: In terms of a frontage waiver, that is correct.

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Mr. Evans: Okay, that's your criteria? Got it. Thank you.

Mr. Pillsbury: Your welcome.

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

Mr. Pillsbury: Thank you, Mr. Chairman this plan has received a frontage variance from the zoning board. No appeal was taken during that action. The role of the planning board in acting on the frontage waiver is to ensure there is adequate access provided to the site via the reduced frontage. That review has been undertaken by the City Departments. The additional elements of this subdivision approval are related to the land court plan. With that I would recommend approval of the frontage waiver plan with its definitive plan elements and the waivers attached to it.

After board consideration, Member Karen Buckley motioned to approve the frontage waiver \* for 211, 219-223 Lincoln Avenue. The plan approval divided the land into two lots that the Board voted to approve (i) the plan entitled, "Definitive Subdivision Plan for 211, 231-223 Lincoln Avenue, Haverhill, MA" prepared by RJ O'Connell for Amerco Real Estate Company dated 9/4/20 and revised 11/18/20 and (ii) the Revised List of Waivers to the Haverhill Subdivision Rules and Regulations dated 11/18/20 including the frontage waiver and as recommended by the Planning Director, William Pillsbury. Member William Evans seconded the motion. All members present voted in favor. Member absent: Nate Robertson and Ken Cram. 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.

**Motion Passed.**

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

- **Definitive subdivision 211, 219-223 dated 9-4-20**
- **Online application**
- **RJ O'Connell & Associates, 9-10-20**
- **RJ O'Connell & Associates – List of waivers**
- **Form D-1**
- **Form D**
- **Frontage Waiver application**
- **Email, 10-13-20**
- **RJ O'Connell & Associates, 10-13-20**

**Frontage Waiver for unnumbered West Lowell Avenue & 70 Bailey Court:**

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Mr. Pillsbury, Planning Director: Went over the online rules of the public hearing.

Mr. Gregory Saab addressed the board on behalf of the applicant. We are looking for a frontage waiver to access the property at the end of Bailey Court. It is an 8-acre parcel with 0 frontage at the moment. We are looking to use Bailey Court (50' of frontage off of Bailey Court) to access that property.

Mr. Pillsbury: You did receive a variance for that?

Mr. Saab: Yes, we did.

Mr. Pillsbury: The frontage variance that is in place is what he just described. The question becomes is there adequate access from Bailey Court. I will make a recommendation on that at the end of the hearing.

Mr. Saab: There is adequate access on Bailey Court. It's a cul-de-sac. It will have a driveway with frontage. I actually have met with Conservation on site to walk the wetland flags and we had to go through how we would cross the wetlands with the driveway. We are going to use Bailey Court as our access. We are just going to put one house on the 8-acre piece of property. There is no additional work that needs to be done on Bailey Court.

Chairman Howard: Any questions from the board? I would open it up to questions or comments from the public. Anyone wish to speak on this project? Hearing none, I will close the public portion of the hearing and open it up to comments from the Planning Director.

Mr. Pillsbury: The plan has received a variance from the Board of Appeals and no appeal was taken on that matter. The role of the Planning Board in acting on the frontage waiver is to ensure that there is adequate access provided to the site from the reduced frontage. This will be provided from Bailey Court. There is no objection raised by the City Departments and I would recommend the approval of the frontage waiver.

After board consideration, Member William Evans motioned to approve the frontage waiver for unnumbered West Lowell Avenue/70 Bailey Court as recommended by the Planning Director, William Pillsbury. Member Robert Driscoll seconded the motion. All members present voted in favor. Member absent: Nate Robertson and Kenneth Cram. 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**
- **Form D**
- **Form D-1**
- **Letter of permission from owners**
- **Frontage waiver plan, 10-5-20**



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**Frontage Waiver for 452 Lake Street:**

Mr. Pillsbury, Planning Director: Went over the online rules of the public hearing.

Mr. Pillsbury: For the next couple of hearings with a frontage waiver basically the only criteria that the Planning Board is looking at is whether there is adequate access to the buildable portion of the lot via the reduced frontage. That is not City created policy. That is basically state law. We are dealing with the requirements of the state law as it relates to a frontage variance is granted then the applicant must file what is a frontage waiver for the Planning Board to determine that one criteria. We are not reanalyzing the case. We are not looking at any elements except for whether there is adequate access. That is the prevue of the Planning Board and it is very limited in its scope.

Attorney Caitlin Masys addressed the board on behalf of the applicant. This is a relatively large parcel on Lake Street. The only variance needed to create two different lots is frontage. We went to the Board of Appeals a couple of months ago. As soon as we got the decision we got it recorded and then filed with the Planning Board which did not have a meeting in November, so here we are in December. There is roughly a 100' of frontage for each of the proposed lots. It is a 50' waiver that is being sought. There is more than adequate access to each parcel.

Chairman Howard: Any questions from the board? I will open it up to the public. Is there anyone from the public who wishes to speak on this project?

Ms. Debra Kelleher of 457 Lake Street addressed the board. I am right across the street. I thought the frontage they were requesting was more than 50'. It was close to 100' frontage waiver they were looking for.

Chairman Howard: Maybe it was for 50' each parcel which would equal 100'.

Ms. Kelleher: Who determines whether the access is adequate?

Mr. Pillsbury: The standard that we use for looking at access is whether there is actually a street, a way and that way is paved and that way provides...again you are looking at...certainly the land is already there but you are looking at whether there is adequate access to that via the reduced frontage. Another words whether there is a situation where there is literally either no street at all or there was no ability to get to the lot then that is what this really is looking at. Under state law it is very limited in terms of what we looked at is whether you can literally access the lot from the way that is provided along that frontage. The standard that we use is whether there is a paved street in good condition a passable street. Then that does provide the adequate access from a legal standard. Again, it is not a determined type of thing where we are saying that Lake Street doesn't have issues. We are not looking at traffic analysis we are looking at whether there is a street there.

Ms. Kelleher: When we were at the board meeting there was never an adequate perk test performed on this land.

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Chairman Howard: That is beyond the prevue of the Planning Board. Perk stuff would go in front of the Board of Health.

Mr. Pillsbury: Have you filed with Conservation on these lots?

Attorney Masys: Not yet, we were waiting for the frontage waiver.

Mr. Pillsbury: So there will be a notification that will go to the abutters for the NOI process that you will be going into?

Attorney Masys: Yes.

Mr. Pillsbury: There will be another process that will be the Conservation Commission as well as the Board of Health.

Ms. Kelleher: We will get notification of this?

Mr. Pillsbury: If you an abutter to this project than you will receive notification from the Conservation Commission.

Ms. Kelleher: Okay, to answer my question, it is not a 50' waiver that they are looking at. Its close to a 100'.

Attorney Masys: Its 50' for each lot.

Ms. Kelleher: Okay, so that's a 100'.

Chairman Howard: They are subdividing the lots.

Mr. Pillsbury: It's a 100' variance. Let's make sure we use the right terms. A variance was already granted and adjudicated by the Zoning Board of Appeals That hearing was held. The application was approved, and no appeal was taken. That variance has been recorded...I am just trying to be clear about what the Planning Board's responsibility is... that amount is not in play now. We are now looking to see if you can get to the lot. That is really the issue

Ms. Kelleher: Has anyone on the board looked as to whether you can get to it...the access to it.

Chairman Howard: Yes, the city departments have and members of the board have viewed it also.

Ms. Kelleher: When I originally went to the other board meeting, there was an architect there and they had all kinds of plans drawn up about these beautiful homes that they were going to be putting there. Now I am hearing that is not even the case. Those plans that were presented at that meeting are out the window. When does that come up again as to what plans are really going to into place when the building starts there?

Mr. Pillsbury: Again, there will be a public hearing process through the Conservation Commission. There will also be a site plan process through the City Departments. Again the building inspector before he issues building permits, he will be receiving sets of plans. Those plans will be available for review by

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the public as well. Those plans will be filed with the building inspector...Attorney Masys...again I am not sure she can comment on what plans are out the window or not out the window?

Attorney Masys: I haven't heard any different that what was presented at the Board of Appeals meeting. To my knowledge those are the plans that are still in place.

Ms. Kelleher: Well, there not.

Chairman Howard: Again, its outside the prevue of this board.

Ms. Kelleher: Could you tell me what departments are involved for the building on this lot?

Mr. Pillsbury: Building, Water, Water/Wastewater, Fire, City Engineer and the Planning Department. Again, all the regular departments the plumbing, building all those inspectors will be involved. They will be looking at the various sets of plans once they are filed with the city at that stage. The site plan process will be the next step after approval of the frontage waiver.

Ms. Kelleher: okay, thank you.

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

Mr. Pillsbury: The approval has been received for the frontage variance for this project. There was no appeal taken. At this point the review has been determined that there is adequate access to the buildable portion of the lot via the reduced frontage and with that I would recommend approval of the frontage waiver for 452 Lake Street.

After board consideration, Member Robert Driscoll motioned to approve the frontage waiver for 452 Lake Street as recommended by the Planning Director, William Pillsbury. Member William Evans seconded the motion. All members present voted in favor. Member absent: Nate Robertson and Ken Cram. 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**
- **Letter of permission**
- **Form D-1**
- **Form D**
- **Frontage waiver plan 11-6-20**

**Frontage waiver plan for Tenadel Avenue Lot 42:**

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Please be advised, the Haverhill Planning Board at its meeting held on 12/9/20 at 7:00 p.m. ONLINE (due to Covid-19) continued the above cited frontage waiver plan to the January 13, 2021 meeting. It was noted by the Planning Director that no one was online to present the case.

As a result it is recommended that the matter be postponed to the January 13, 2021 meeting at 7:00 pm. After board consideration, Member William Evans motioned to continue the hearing to the January 13, 2021 at 7:00 pm.

Member Robert Driscoll seconded the motion. All members present voted in favor.

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

#### **Special Permit for 33 Eighth Avenue:**

Please note at the December 9, 2020 ONLINE Planning Board meeting the board considered the recommendation of the Planning Director, William Pillsbury, Jr., to forward a favorable conditional-recommendation for a special permit for 33 Eighth Avenue.

Planning Director read the rules of public hearing into the record (online version).

Attorney Michael Migliori of 18 Essex Street addressed the board on behalf of the applicant. We are before you this evening requesting a favorable recommendation to be forwarded to the City Council in connection with the construction of a three-family home. My clients have done prior work in the inner city, very successfully most recently a project on Observatory Avenue. We have received the appropriate approvals through the Board of Appeals. Those have been recorded with the Registry of Deeds. I hope you had an opportunity to see as part of our filing what the site currently looks like and the general neighborhood. We did submit photographs of the existing property and the two abutting properties for you to get a flavor of what my clients want to get involved in. We also submitted renderings of the three family, brand new buildings nothing is going to be retained from the existing mess on the site. It's a brand-new building. Each unit has indoor garage parking for two units. We have additional parking for additional three units...I mean three spaces I should say. There is a total of 9 spaces on site. Those three additional spaces can be utilized also as snow storage when we do have issues with snow prior to removal. All of the units will have individual totes for garbage within their garages. We won't have any issues with dumpsters out there. We did receive a recommendation from an abutting neighbor at the Board of Appeals. They were thrilled once they saw what we are trying to do in the neighborhood. Other than that we didn't hear anything else from any of the other properties in the general neighborhood. We think this is going to be a significant positive impact on another inner-city neighborhood providing quality housing where its needed. Mr. Pillsbury noted earlier the need for housing in the City. This is another inner-city project that I have been involved with. I have seen them be very successful. We recently did Portland Street which we did a three family. I obviously been involved in the old St. George's property. It is going to be turned into a great inner-city neighborhood. I think this is going to be another building block especially for this particular area. Hopefully the abutting properties will be improved or perhaps purchased by my clients and rehabbed. As a result of the special permit we do need a favorable recommendation. We do meet all the requirements contained in the special permit process. We believe its desirable to the public convenience. This project certainly will not impair the integrity or character of the district but improve it significantly. We have appropriate access to the property. We have parking. We have water, sewer, disposal issues all in hand. I am hoping the Planning Board will give us a favorable recommendation this evening.

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Chairman Howard: Any questions from the board? I will open it up to public comment. Does anyone from the public wish to comment on this project? Hearing none, we will close the public portion of the hearing and turn it over to comments from the Planning Director.

Mr. Pillsbury: This is a project as Attorney Migliori has indicated that is an investment in the inner city and investment of this area. They have gotten some relief from the Board of Appeals and that is in place. The next step is to go to the City Council anything over two units in the City requires a special permit from the City Council. Attorney Migliori will be filing with them, excuse me has already filed with them. The Planning Board's role is to make a recommendation on this project and I strongly recommend it. I would recommend that we send it conditionally that any of the city departments comments be incorporated into the information that was filed with the City Council. With that I would recommend a conditional favorable recommendation for the special permit for 33 Eighth Avenue.

Member Karen Buckley motioned to make a favorable conditional recommendation to the City Council as recommended by the Planning Director, William Pillsbury. The condition being the inclusion of all the comments/letters from city departments. Member Robert Driscoll seconded the motion.

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

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

- **Online application**
- **Existing conditions picture**
- **Plan of land 7-29-20**
- **Letter from Attorney Michael Migliori, 10-21-20**

### **Definitive Escrows:**

#### **Carrington Estates Phase I & Phase II:**

No Reduction recommended.

No vote was taken.

#### **Carrington Estates Phase I: Bond Reduction**

No Reduction recommended.

No vote was taken.

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

**Planning Board Meeting  
12-9-20**

**Escrow Materials**

**West Gile Street Escrow:**

The Haverhill Planning Board at its 12/9/20 meeting held on Wednesday evening at 7:00 pm reviewed the request to reduce the account to a zero balance in return for the completion of all work.

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

In consideration of the City Engineer's recommendation along with the Planning Director's recommendation, Member Robert Driscoll motioned to reduce the account to a zero balance. Seconded by Member Karen Buckley. All members present voted in favor. Members Absent: Kenneth Cram and Nate Robertson. Motion Passed.

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

**Escrow Materials**

**South Central Street Escrow:**

The Haverhill Planning Board at its 12/9/20 meeting held on Wednesday evening at 7:00 pm reviewed the request to reduce the account to a zero balance in return for the completion of all work.

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

In consideration of the City Engineer's recommendation along with the Planning Director's recommendation, Member Robert Driscoll motioned to reduce the account to a zero balance. Seconded by Member Karen Buckley. All members present voted in favor. Members Absent: Kenneth Cram and Nate Robertson. Motion Passed.

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

**Escrow Materials**

**Reminders for escrow:**

**Greenough Street Escrow:**

Send reminder to developer

**Planning Board Meeting  
12-9-20**

**Form A Plans:**

**Boston Haverhill LLC for 1240&1252 Boston Road:**

Member Robert Driscoll motioned to endorse the Form A for 1240&1252 Boston Road. Seconded by Member Karen Buckley. All members present voted in favor. Member absent: Ken Cram and Nate Robertson.

**Kristin Morse, Trustee of Morse Family Irrevocable Trust/Michael DeLuca for 0 Salem Street:**

Member Karen Buckley motioned to endorse the Form A for 0 Salem Street. Seconded by Member Robert Driscoll. All members present voted in favor. Member absent: Ken Cram and Nate Robertson.

**Endorsement:** None at this time.

**Any other matter:**

Meeting adjourned.

Signed:

Paul Howard  
Chairman