

**HAVERHILL PLANNING BOARD  
MEETING MINUTES**

**DATE: Wednesday, October 12, 2022**

**Place: City Council Chambers – Room #202 City Hall**

**Time: 7:00 PM**

Members Present:           Member William Evans  
                                  Member Bobby Brown  
                                  Acting Chairman Robert Driscoll  
                                  Member April DerBoghosian, Esq.  
                                  Member Nate Robertson

Members Absent:           Member Ismael Matias  
                                  Member Carmen Garcia  
                                  Member Karen Buckley  
                                  Chairman Paul Howard

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

**Approval of Minutes:**

**August 10, 2022 and September 14, 2022**

After board consideration, Member Nate Robertson motioned to approve the August 10, 2022, meeting minutes. Member April DerBoghosian, Esq. seconded the motion.

Carmen Garcia – absent

Bill Evans – yes

Karen Buckley – absent

April DerBoghosian, Esq.- yes

Bobby Brown – yes

Nate Robertson- yes

Robert Driscoll – yes

Paul Howard – absent

Ismael Matias - absent

**Motion Passed.**

William Pillsbury: I just want to read into the record. One of the people that was here last month regarding the Form A plan at the end of the meeting. We had a person that was raising concerns that some elements of the record were not viewable from the viewpoint public portal and we did confirm that it was true. **The minutes will reflect that due to a technical problem with the viewpoint portal 2 of the 7 files-**

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**“Proposed Plan” file and “Plan Prints – 66 Merrimac Rd ANR FP REV” were not viewable from the viewpoint public portal at the time of the meeting. This technical problem was corrected the next morning.\***

William Pillsbury: Okay, we can hear a motion.

Member Robertson: I did.

William Pillsbury: Oh, you did.

Member Robertson: Yes, we are good.

William Pillsbury: So efficient.

**Public Hearings:**  
**Frontage Waiver for 22 Niagara Street:**

Member Nate Robertson: Read rules of public hearing into the record.

Mr. William Pillsbury, Planning Director: Note for the record that Bill Evans is no longer enroute. He is in attendance.

Attorney Robert Harb of 40 Kenoza Avenue addressed the board on behalf of the applicant. We received a variance from the Board of Appeals and was not appealed on 5' on a two family lot. The empty lot where the proposed new lot will go is a single family and it meets the frontage requirements. Niagara Street is a public way, and we are only 5' short on the lot that already has the house. We believe that we have more than enough sufficient access, frontage ability for fire safety to serve as both lots including the existing house. We ask for your approval of the frontage waiver.

Acting Chairman Robert Driscoll: Anyone else here in favor? In opposition? Hearing none, I will close the public portion of the hearing and what is the wish of the director?

Member Brown motioned to approve. Seconded by Member Robertson.

Member Evans: Don't we have to hear from the Planning Director?

William Pillsbury: Recommend approval.

After board consideration, Member Bobby Brown motioned to approve the frontage waiver for 22 Niagara Street as recommended by the Planning Director, William Pillsbury. Nate Robertson seconded the motion.

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Carmen Garcia – absent  
Bill Evans – yes  
Karen Buckley – absent  
April DerBoghossian, Esq.- yes  
Bobby Brown – yes  
Nate Robertson- yes  
Robert Driscoll – yes  
Paul Howard – absent  
Ismael Matias - absent

**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 for 875 Kenoza Street and 25 Sunrise Street:**

Member Nate Robertson: Read rules of public hearing into the record.

Paul Bergman of 875 Kenoza Street addressed the board. We have gone through the Board of Appeals. Lot 1 on Kenoza Street. I was born and raised in the house shown as Lot #2 which is 25 Sunrise Street. My dad built that in 1958. Presently my dad passed away and my mom is at Penacock Place, My daughter is living in that home. We cannot sell the home until my mother passes away. (inaudible) adding parcel a which would have 45' of frontage is to prevent any future owner a large addition to the west. I take care of that lawn area today for my mom. The whole reason for this is to prevent any large addition to that home. Its not forming a buildable lot. We did meet with Planning Director Pillsbury and Tom Bridgewater before.

Acting Chairman Driscoll: Anyone who wishes to speak in favor? Opposition? Hearing none I will close the public hearing and open it up for comments from the Planning Director.

William Pillsbury: Recommend approval.

After board consideration, Member Bobby Brown motioned to approve the frontage waiver for 875 Kenoza Street/25 Sunrise Street as recommended by the Planning Director, William Pillsbury. April DerBoghossian, Esq. seconded the motion.

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Member Nate Robertson: yes  
Member Bobby Brown: yes  
Member William Evans: yes  
Member Karen Buckley: absent  
Member April DerBoghosian, Esq.: yes  
Member Carmen Garcia: absent  
Member Robert Driscoll: yes  
Member Ismael Matias: absent  
Chairman Paul Howard: absent  
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**

**Crystal Springs:**

Please be advised, the Haverhill Planning Board at its meeting held on 10-12-22 reviewed the request of Jay Davidowicz to reduce the amount being held for completion of work within the cited subdivision.

The board advised that the request was referred to the city engineer. The request was to review the work cited as required; advise if all work cited was completed under the approved definitive plan; if the work was completed in accordance with the approvals; and if all required remaining work was listed and if the dollar values were accurate. Please note that Planning Director William Pillsbury, Jr. recommended that the board vote to reduce the account as recommended by the City Engineer in his report to the board dated 10-12-22.

In consideration of the report from the City Engineer, John Pettis, Member Robert Driscoll motioned to reduce the amount \$63,904.78 from the \$447,125.03 balance and maintain a balance of \$383,220.25 as recommended by the city engineer in his report to the board dated 10-12-22. Member April DerBoghosian, Esq. seconded the motion. All member present voted in favor to reduce the account to the balance of \$383,220.25 as recommended by the city engineer in his report addressed to the board dated 10-12-22. Member Absent: Karen Buckley, Ismael Matias, Carmen Garcia and Paul Howard.

**Motion passed.**

As a condition of the board's vote, the **BANK is required** to notify the board that the minimum amount of \$383,220.25 is held for the completion of all remaining work. The account shall not be further reduced or released without formal board approval.

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

Escrow materials

**Endorsement:**

**Any other matter:**

**Meeting adjourned.**

Signed:

*Robert Driscoll*

Robert Driscoll

Acting Chairperson