

**HAVERHILL PLANNING BOARD
MEETING MINUTES**

DATE: Wednesday, July 10, 2019
Place: City Council Chambers, Room 202
Time: 7:00 PM

Members Present: Member Robert Driscoll
Member Karen Buckley
Member Karen Peugh
Member Bill Evans
Member Alison Colby-Campbell
Member Kenneth Cram
Chairman Paul Howard

Members Absent: Member April DerBoghosian, Esq.

Also Present: William Pillsbury, Planning Director

Approval of Minutes: June 12, 2019

June 12, 2019

After board consideration, Member Paul Howard motioned to approve the June 12, 2019 minutes. Member Bill Evans seconded the motion. Members present voted in favor: Karen Peugh, Karen Buckley, Robert Driscoll and Karen Peugh. Members Absent: April DerBoghosian, Esq. **Motion Passed.**

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

Public Hearings:

Special Permit for 20 Newcomb Street:

Please note at the July 10, 2019 Planning Board meeting the board considered the recommendation of the Planning Director, William Pillsbury, Jr., to forward a conditional favorable recommendation for a special permit to allow 13 units at 20 Newcomb Street.

Attorney Russell Channen of 25 Kenoza Avenue addressed the board on behalf of the applicant. The applicant is requesting a special permit to allow multifamily use within the RU zone to allow 20 Newcomb Street, LLC to create 13 units of housing.

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Chairman Howard: Any questions from the board?

Mr. Pillsbury: Can you give us an overview of the project? How the building layout will be? I know you have been through Board of Appeals.

Mr. Jonathan Cody, 20 Newcomb Street, LLC (the applicant) stepped forward to speak. We are proposing a 13 unit building. Each unit will have their own kitchenette and bathroom. There will be 5 units on the first floor, 5 units on the second floor and 3 on the third floor. The whole back parking lot is going to be paved. We don't expect to use all the parking spaces as most residents will not have cars.

Mr. Pillsbury: Will there be a local preference for Haverhill residents that come through the DMH programs? I am not sure if the state allows such a thing.

Mr. Cody: I don't think state law allows preference.

Mr. Pillsbury: If there is an idea that the units be marketed in some way or would somehow highlight the fact that this is in Haverhill and Haverhill residents could take advantage of that.

Mr. Cody: I could definitely mention that.

Mr. Pillsbury: I understand...that list may go from top to bottom and it doesn't matter where you are from.

Member Peugh: I think the list comes from Mass Health.

Mr. Cody: Each tenant from what I have been told the goal is usually a year. The goal is getting them back into society and for them to begin working . After this step they would move onto a less managed place.

Inaudible

Chairman Howard: Seeing there is no public in the audience, I will close the public portion of the hearing and open it up to comments from the Planning Director.

Mr. Pillsbury: This is a request for a special permit to be acted upon by the City Council. The applicant is seeking approval to add 13 units to the property. The role of the planning board is to make a recommendation to the City Council after a hearing. The review of the plan indicates that the project complies with the special permit requirements of the zoning ordinance. The density of the proposed plan is consistent with the surrounding neighborhood. The plan has been reviewed by the city departments and I recommend that the comments/letters from the city departments be made conditions of the recommendations and be incorporated into the special permit as conditions. My recommendation would be to make a conditional favorable

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recommendation to the city council. The condition being the inclusion of all the comments/letters from all city departments.

After board consideration, Member Robert Driscoll motioned to forward a conditional favorable recommendation to the City Council as recommended by the Planning Director William Pillsbury, Jr. Member Bill Evans seconded the motion. Members that voted in favor were: Bill Evans, Kenneth Cram, Alison Colby-Campbell, Bob Driscoll, Paul Howard, Karen Peugh and Karen Buckley Member Absent: April DerBoghosian, Esq. Motion Passed.

Members that voted in favor:

Bill Evans-yes

Karen Buckley – yes

Karen Peugh – yes

Kenneth Cram – yes

Alison Colby-Campbell – yes

Robert Driscoll – yes

Paul Howard – yes

Member Absent:

April DerBoghosian, Esq.

Motion Passed.

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

- **Quitclaim Deed**
- **Floor Plans**
- **Site plan**
- **Petition for a special permit by Attorney Russell Channen**
- **Comment Due Sheet**
- **Water/Wastewater letter, 6-20-19**
- **Conservation letter, 6-21-19**
- **Fire Department letter, 6-26-19**
- **Building Department comments, 7-2-19**

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Definitive Escrows:

West Gile Street: The Planning Board at their July 10, 2019 meeting considered the request of the developer to establish a performance guarantee. The amount recommended by the City Engineer was \$74,876.50 that would guarantee and secure the construction of ways and installation of all municipal services in exchange for the release of the lot.

The developer agreed to the amount of \$74,876.50 that was recommended by the City Engineer. City Solicitor William Cox approved the agreement as to form and attested to by his signature on the agreement.

After board consideration, Member Karen Buckley motioned to endorse the agreement in the amount of \$74,876.50 that was recommended by the City Engineer. The agreement was endorsed by the board. Seconded by Member Alison Colby-Campbell. All members present voted in favor. Members in favor: Karen Peugh, Bill Evans, Karen Buckley, Kenneth Cram, Alison Colby-Campbell, Bob Driscoll and Paul Howard. Member Absent: April DerBoghossian, Esq. **Motion Passed.**

As a condition of the board the lot is released from the Form F Covenant restrictions as to sale and construction only. All other conditions, covenants, and requirements, if any, remain in full force and effect and are subject to the terms and requirements of the performance guarantee.

The board is notifying you, the building inspector, to release the lot. All other restrictions as noted within the approved plan are on file with the City Engineer's Office, and any and all recorded covenants and conditions shall be fully enforced and complied with. The board advises departments/commissions to ensure compliance with the definitive plan before permits/approvals are issued.

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

- **Escrow Materials**

Emma Rose Modification (Extension) Escrow: Please be advised the Haverhill Planning Board at its meeting held on July 10, 2019 at 7:00 pm in the City Council Chambers reviewed the request to endorse the performance guarantee agreement for the above cited development. The City Engineer established the amount of \$162,782.50 (see City Engineer's letter dated May 8, 2019, which was set up in an agreement that will expire on July 2020, a release is executed herewith to include the lots 3A, 4A, 4B and 4C. The agreement was reviewed and endorsed by the city solicitor

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as attested to by his signature on said document. The performance guarantee agreement needs to be recorded at the Registry of Deeds (see attached agreement).

The board discussed the acceptance of said agreement for the amount cited above which secures the complete construction of the ways and installation of municipal services for the building, as referred to in the above cited plan. It was voted to release the aforesaid lots from the Form F covenant restrictions as to sale and construction only (all other conditions, covenants and requirements remain in full force and effect, if any). Lot release is subject to the terms and requirements of the funds held in the amount of \$162,782.50 to guarantee the completion of the ways and installation of all municipal services referred to an required by the Planning Board. The board agreed to release the aforesaid lots for sale and construction only, upon submission of the properly completed documents endorsed by the board. No occupancy permits issued at this time.

The board now informs you, the building inspector, that the applicant has provided this office with the required recorded documentation that shows the Registry of Deeds recording stamp on the Performance Guarantee Agreement, the recorded covenant and the letter from the city engineer dated May 8, 2019. This is your notice to release lots 3A, 4A, 4B and 4C from the Form F Covenant from the Emma Rose Modification Definitive Plan for sale and building only. See your endorsed copy of the approved plan, or the endorsed reproducible mylars in the Engineering Office for review or any restrictions.

The board respectfully advises each city department/commission noted below to ensure compliance with the plan before the permits/approvals are issued.

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

- **Escrow Materials**

20 Augustin Avenue Escrow: Please be advised upon the review of the escrow file it was noted that the above cited agreement will expire on August 9, 2019 for completion of all work and the funding will expire on September 9, 2019. You are required to follow-up with an updated agreement using the date recommended by the city engineer for completion of all work. Please submit an extension of the agreement for the August 14, 2019 Planning Board meeting considering that this agreement is due to expire on August 9, 2019 and funding on September 9, 2019. If not received for the August 14, 2019 meeting the board will have to attach the amount being held for completion all remaining work.

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Please call the Planning Department if you have any questions or concerns regarding the expiration and possible attachment of the above cited agreement.

Cobblestones @Bradford a/k/a Comanche Circle: Please be advised upon the review of the escrow file it was noted that the above cited Tri-Partite Agreement will expire on August 22, 2019 for completion of all work and the funding will expire on September 22, 2019. You are required to follow-up with an updated agreement using the date recommended by the city engineer for completion of all work. Please submit an extension of the Tri-Partite Agreement for the August 14, 2019 Planning Board meeting considering that this agreement is due to expire on August 22, 2019 and funding on September 22, 2019. If not received for the September 11, 2019 meeting the board will have to attach the amount being held for completion all remaining work.

Please call the Planning Department if you have any questions or concerns regarding the expiration and possible attachment of the above cited Tri-Partite Agreement.

Form A Plans:

David W. Hewey for 9 South Lincoln Street: It was noted the Building inspector commented on 6-27-19 stating "Lot Line change (removed) does not adversely affect frontage on South Lincoln Street access and area improvements." After board consideration Member Karen Buckley motioned to approve the Form A for 9 South Lincoln Street as recommended by the Planning Director, William Pillsbury. Member Bill Evans seconded the motion. All members present voted in favor. Member Absent: April DerBoghossian, Esq.
Motion Passed.

Bradford Unlimited Corporation for 261 Hilldale Avenue: It was noted the Building Inspector commented on 7-2-19 stating " Board of Appeals approval on 4-17-19, ok." After board consideration Member Karen Buckley motioned to approve this Form A for 261 Hilldale Avenue as recommended by the Planning Director, William Pillsbury. Member Robert Driscoll seconded the motion. All members present voted in favor. Member Absent: April DerBoghossian, Esq.
Motion Passed.

Meeting adjourned.

Signed:

Paul Howard
Chairman