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MINUTES/SUMMARY OF THE PLANNING AND DEVELOPMENT COMMITTEE MEETING

March 30, 2026

A Planning and Development Committee Meeting was held on Monday, March 30, 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: Councilor Devan Ferreira and Councilor Sullivan

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 discussed a proposal that updates the water use ordinance to promote earlier conservation, clearer rules and fair enforcement for all users, including private wells. It would introduce seasonal watering limits (May-September, no watering 9AM-5PM) no matter the drought status, require irrigation safeguards during droughts, add a color-coded drought system for communication, restrict non-essential uses like surface washing, and increase fines for repeat violations.

Councilor Diodati asked for an explanation about why private well owners would be involved in the water ban. Robert Ward explained that surface water and groundwater are connected in one system. Private wells shallow or deep draw from this aquifer and increased use can lower groundwater levels, reducing recharge to sources like Crystal Lake. Councilor Diodati asked about violations and how that would be handled. Robert Ward stated we spoke with Richard

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MacDonald (Inspectional Services) in preparing to enforce outdoor watering rules for the first time, including issuing violations and tracking them through a centralized billing system.

A discussion took place about the water levels of Millvale, Kenoza and Crystal Lake.

Mayor Barrett asked if there was suggested language for the updated wording for the private wells. Councilor confirmed she did have language. Chairperson Michitson stated the goal is to provide what needs to be done and have the wording handled through the regular process. Councilor Ferreira explained that the intent is to reinforce that all users draw from the same shared water source and to encourage consistent conservation practices. Mayor Barrett raised concerns about impacts on high-volume users such as golf courses, as well as the need for potential exemptions. Councilor Rogers expressed hesitation about implementing restrictions and issuing fines during non-drought conditions, emphasizing education, while Councilor Diodati supported the conservation goals but questioned increasing fines and suggested a warning-based approach may be more appropriate. Bob Ward provided context on current water restriction levels, noting that existing measures are typically triggered at higher drought stages and that most irrigation systems already operate during early morning hours. The discussion also addressed enforcement challenges, definitions of non-essential watering, and the balance between proactive conservation and practical implementation. **Motion by Councilor Diodati to send these bullet points to you taking into consideration the comments made by the committee based upon the fine amounts and when we fine.** Chair Michitson concluded that the proposal, along with the minutes and committee feedback, would be forwarded to the appropriate departments for further review, refinement of language, and development of recommendations, after which Chair Michitson will determine whether the item returns to the committee or advances to the full council.

Potential Recommendations:

- Expand ordinance applicability to include private well users
- Establish seasonal non-essential watering restriction (May–September, 9 AM–5 PM), regardless of drought status
- Consider initiating non-essential watering restrictions at the watch level
- Require moisture sensors for automated irrigation systems
- Require accessible shut-off valves for irrigation systems
- Maintain existing exemptions (e.g., agriculture, necessary uses, certain commercial users)

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- Review and clarify enforcement approach, with emphasis on warnings and education prior to fines
- Further define "non-essential watering" within the ordinance

Councilor Ferreira on behalf of Councilor Lewandowski, discussed making water use clearer (switching bills to read gallons instead of units and daily averages) and improving awareness through more frequent billing and better outreach through social media, email and alert systems.

Chair Michitson stated Dan, going back to your motion. I think we need to send the minutes to the Water Department and ask them to come back with their recommendations in more formal wording.

Councilor Diodati stated the idea is to send the public education bullet points as well as the meeting minutes to the Water Department and let them come back for a recommendation.

Chair Michitson stated there is a motion from Councilor Diodati and a Second from Councilor Rogers.

3 YEAS, 0 NAYS

PASSED

Councilor Ferreira stated the last thing I had was the Water Resource Commission and proposal on behalf of Councilor Lewandowski. She proposed a Water Resource Commission that would be a 6-member, Mayor appointed advisory group, including a City Council member, created to support, but not replace, the Council's role as water commissioners. The purpose would be to coordinate with local boards, regional organizations, and DPW and to provide recommendations on water quality, supply protection, conservation, environmental health, and sustainable growth. It would promote public engagement and responsible water use. Mayor stated I think this should be in Natural Resources during those meetings you could discuss water. You could put this on next Tuesday to have it go to the Natural Resources committee meeting. **Motion by Councilor Diodati to send to Natural Resource Committee.** Councilor Ferreira noted I think having a liaison from council on this commission makes sense. Chair Michitson stated we have a motion for the commission portion to send to Natural Resource Committee.

Motion by Councilor Diodati to send to Natural Resource Committee. Second by Councilor Rogers.

3 YEAS, 0 NAYS

PASSED

Steve Costa (70 Jackson Street Ext) addressed the committee. He stated that public concern about water use is largely driven by misunderstanding and misinformation especially on social media. He emphasized

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the claims about over development straining the water system have been disrupted by local officials and water supply maybe be divided by geographic sectors rather than shared across the city. He stressed the need for better public education on how the water system works.

Al Perreira (39 Smith Street) addressed the committee. He went over photographs of Kenoza Lake that he took. He questioned whether commercial water use is being monitored or justified, suggesting businesses should be held accountable just like residents. Robert Ward stated most businesses are cost aware and try to avoid wasting water. Chair Michitson stated do we have trend data that analyzes industry. Robert Ward confirmed there is data available to assess trends across industrial users. He stated in our budget every year we look at residential and commercial usage and it is steady. Mayor Barrett noted the city could do tiered billing. It is something that could be looked at. Al Perreira recommends an independent audit to build trust, he opposes raising fines without previous enforcement and suggests golf courses invest in water conservation measures.

Motion by Councilor Diodati to adjourn. Second by Councilor Rogers.

3 YEAS, 0 NAYS

Adjourned: 19:43

Respectfully submitted,

John A. Michitson
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Chairperson
Planning and Development Committee

From: Devan Ferreira <DFerreira@haverhillma.gov>
Date: March 30, 2026 at 08:04:18 EDT
To: John Michitson <JMichitson@haverhillma.gov>
Subject: Lewandowski proposal P&D

On behalf of Councilor Lewandowski for tonight's P&D meeting.

Proposal to create:

- **The Water Resources Commission (hereinafter "WRC") would , if created by Council and voted to be established, be responsible for the following:**

  -Coordinating with all other boards(conservation, Board of Health, Inspections, Building, etc) and committees in the community(ex: Merrimack Valley Watershed Council, MVPC), as well as DPW to provide guidance and recommendations to the City Council who also serve as Haverhill's water commissioners on issues to include byut not limited to:

  -Protecting the quanity, quality and value of water resources

  -Protecting environmental health

  -Engaging with citizenship regarding responsible water use practices

  -Enhancing ideas and strategies to reach net zero growth,

  -Developing ongoing water conservation measures and

  -Any and all matters to better protect our water resources

  The WRC would be comprised of 6 members appointed by the Mayor, consisting of a Chair, Vice Chair and at least one member would be a Council member/liaison.

If established, we would add a page to the City website headed "Water Resources Commission" with contact email etc and a link to Water Resource Updates.

This page would also contain a paragraph or two of introduction

"Water is a precious resource, key to ensuring public health and safety. Protecting the quantity, quality and value of water ensures Haverhill remains a sustainable and special place to live work and play for generations to come. Formed in (year), the Haverhill Water Resources Committee was created by the City Council and Mayor Elect. The WRC is responsible for : (list of above items).

All are welcome to attend WRC meetings,. Those interested in serving on the WRC should submit an application form to (Mayor).

Proposed: *changes to Article VI Water Use Restriction ordinance:*

- Update wording to ensure that ordinance applies to private well owners
- Mandatory non-essential watering restrictions from May to September (no watering between 9am to 5pm)
- Require moisture sensors and accessible shut off valves for lawn irrigation systems

In section 250-25.1:

- Assign colors to each drought status level

"Watch" = Blue

"Warning"=Yellow

"Critical"=Orange

"Emergency"=Red

- Add non-essential watering restrictions (no watering between 9am to 5pm daily) to start at "Watch" level
- Prohibit hard surface washing (sidewalks, etc) at Warning, Critical and Emergency levels

Proposed: *Increase fines for enforcement*

- 1st violation is warning, increase 2nd violation from $50 to $100, increase 3rd violation from $100 to $200.