



**CITY OF HAVERHILL
CITY COUNCIL MINUTES
December 17, 2024 at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202
In-Person/Remote Meeting**

Present: President Sullivan, Councilors Basiliere, Michitson, Ferreira, Jordan, Hobbs Everett, Toohey, McGonagle, Lewandowski and Rogers

Remote: Councilor LePage

Absent: None

City Clerk: Kaitlin M. Wright

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

COUNCILOR HOBBS EVERETT STATED SHE REVIEWED THE MINUTES AND FINDS THEM IN ORDER.

MOTION BY COUNCILOR HOBBS EVERETT TO APPROVE, SECOND BY COUNCILOR MCGONAGLE

PASSED

YEAS 11, NAYS 0, ABSENT 0

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

PRESIDENT SULLIVAN ASSIGNED THE MINUTES TO COUNCILOR FERREIRA

5. COMMUNICATIONS FROM THE MAYOR:

**6. COMMUNICATIONS FROM COUNCILLORS TO INTRODUCE AN INDIVIDUAL(S) TO ADDRESS
THE COUNCIL:**

6.1. Vice President Jordan, Councillors Rogers & Michitson request to introduce Lisa Marzilli from the *Cogswell Club*, Jessica Kallin from *Haverhill Promise*, Jessica Todd from Haverhill Public Schools, and a representative from the Ignite reading program to discuss the *Cogswell Club's* donation to *Haverhill Promise* and how it will help *Tilton* first graders improve their reading proficiency 93-0

LISA MARZILLI OF THE COGSWELL SCHOOL ADDRESSED THE COUNCIL. SHE STATED THE CLUB IS EXCITED TO ANNOUNCE THAT WE ARE PROVIDING \$75,000 GRANT TO HAVERHILL PROMISE. THEY WILL USE THAT TO EXPAND THEIR IGNITE READING TUTORING PROGRAM AT TILTON ELEMENTARY SCHOOL. THIS WILL ALLOW US TO SUPPORT AN ADDITIONAL 32 TUTORING SEATS FOR ONE YEAR. THIS SERVICE PROVIDES ONE TO ONE VIRTUAL TUTORING THAT TEACHES EVERY STUDENT THE FOUNDATIONAL SKILLS THEY NEED TO BECOME CONFIDENT INDEPENDENT READERS. I WOULD ASK EVERYONE IN THE ROOM AND BEYOND TO CONSIDER DONATING TO HAVERHILL PROMISE. SHE STATED YOU CAN REACH HAVERHILL PROMISE THROUGH THEIR WEBSITE WWW.HAVERHILLPROMISE.COM. SHE MENTIONED THE DONORS SO FAR WHICH TOTALED UP TO \$75,000.

COUNCILORS ROGERS, MICHITSON, BASILIERE, JORDAN AND PRESIDENT SULLIVAN WERE THANKFUL FOR THE DONATION AND HOPEFULLY WE CAN REALLOCATE THE FUNDS TO INVEST IN THE PROGRAM.

JESS TODD, 37 EAST MAIN STREET WENT OVER THE PROGRAM AND RESULTS WITH THE FIRST GRADERS AT TILTON SCHOOL.

JESSICA KALLIN STATED HER THANKFULNESS TO THE COGSWELL CLUB FOR THEIR GENEROUS DONATION.

ALEXANDER GATELY AND JENNA (NO LAST NAME GIVEN) OF THE IGNITE READING TUTORING PROGRAM WERE PRESENT IF THERE WERE ANY OTHER QUESTIONS.

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:



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8.1. Robert Pistone, Chief of Police, along with the Merrimack Valley Planning Commission requests to discuss the HMP (Hazardous Mitigation Plan) that was approved by MEMA and FEMA and now needs local adoption 17-S

8.1.1. RESOLUTION – City of Haverhill adopts the Merrimack Valley Region Multi-hazard Mitigation Plan 13-M

POLICE CHIEF PISTONE ADDRESSED THE CITY COUNCIL AS THE EMERGENCY MANAGEMENT DIRECTOR FOR THE CITY OF HAVERHILL. HE STATED THAT HAVERHILL HAS BEEN ACTIVELY INVOLVED IN UPDATING ITS HAZARDOUS MITIGATION PLAN AS PART OF A REGIONAL EFFORT WITH NINE OTHER COMMUNITIES IN THE MERRIMACK VALLEY. HE STATED WE ARE EXCITED TO SHARE THAT THE FINAL PLAN HAS BEEN REVIEWED AND APPROVED BY BOTH THE MASSACHUSETTS EMERGENCY MANAGEMENT AGENCY AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND IS NOW READY FOR LOCAL ADOPTION. HE NOTED THAT AN AFFIRMATIVE VOTE BY THE CITY COUNCIL AND A RESOLUTION SIGNED BY THE COUNCIL PRESIDENT WILL SERVE AS DOCUMENTATION THE PLAN'S LOCAL ADOPTION. HE NOTED LOCAL ADOPTION INDICATES THE COMMUNITY FEELS THEY HAVE BEEN DIRECTLY INVOLVED IN THE PLANNING PROCESS AND ACTIVELY REFLECTS LOCAL CONDITIONS AND GOALS. HE STATED THE PLAN WILL THEN SERVE AS A NON-BINDING GUIDANCE DOCUMENT FOR THE COMMUNITY FOR THE NEXT FIVE YEARS. HE NOTED WE HAVE BEEN WORKING ON THIS FOR APPROXIMATELY 2 YEARS. HE STATED THIS ENABLES THE CITY TO APPLY FOR FEDERAL AND STATE FUNDING FOR EMERGENCIES.

HANNAH MOGENSEN OF MERRIMACK VALLEY PLANNING COMMISSION ADDRESSED THE COUNCIL. SHE PRESENTED A POWER POINT PRESENTATION ON THE HAZARD MITIGATION PLAN.

MOTION BY VICE PRESIDENT JORDAN TO ADOPT, SECOND BY COUNCILOR TOOHEY

COUNCILOR BASILIERE ASKED HOW IS THE CITY POSITIONED FOR GRANTS FOR A CULVERT EXPANSION.

HANNAH MOGENSEN STATED HAVING AN ACTIVE PLAN IN PLACE QUALIFIES YOU FOR FEDERAL FUNDING THROUGH FEMA. SHE NOTED THERE IS A LOT OF GREAT GRANT PROGRAMS AT THE STATE LEVEL. SHE STATED SHE WOULD RECOMMEND YOU CITING THIS PLAN IN THOSE APPLICATIONS.

COUNCILOR MICHITSON ASKED WHAT ARE THE NEXT STEPS FOR THE CITY.

CHIEF PISTONE STATED ONCE THIS IS ADOPTED, I STRONGLY URGE WITH THE MAYOR'S APPROVAL WE SIT DOWN AND LOOK AT WHAT THOSE GREATEST HAZARDS ARE. HANNAH KEEPS ME UPDATED WHEN AVAILABLE GRANTS COME THROUGH.

MAYOR BARRETT STATED WE ARE LOOKING AT ALL THE CULVERTS. SHE NOTED THIS MAY HELP US GET MORE FUNDING.

COUNCILOR HOBBS EVERETT ASKED COULD YOU SPEAK ABOUT THE COMMUNITY INVOLVEMENT.

HANNAH MOGENSEN STATED THE CREATION OF THE FIRST PLAN HAD A LARGE EMPHASIS ON COMMUNITY ENGAGEMENT. EACH OF THE SUBSEQUENT UPDATES WERE A REFRESHER. SHE STATED IT WAS UP TO EACH COMMUNITY TO DECIDE WHO THEY WANTED ON THEIR TEAMS.

COUNCILOR LEWANDOWSKI ASKED A HYPOTHETICAL QUESTION BASED ON FLOODING IN AUGUST 2023. RESIDENTS AND BUSINESSES APPLIED FOR FUNDING AND WERE DENIED BASICALLY BECAUSE THEY SAID WE WERE CAPABLE OF ADDRESSING THE FLOODING WITH LOCAL EFFORTS AND WE DID NOT QUALIFY FOR FUNDING. HOW DOES THIS PLAN HELP US HELP THEM?

HANNAH MOGENSEN STATED THERE ARE TWO BRANCHES OF EMERGENCY FUNDING, YOU DON'T HAVE TO HAVE A PLAN TO RECEIVE THAT FUNDING. NOW THAT YOU HAVE AN ACTIVE PLAN YOU CAN GO AFTER MORE PROACTIVE PROJECTS.

MOTION BY VICE PRESIDENT JORDAN TO ADOPT, SECOND BY COUNCILOR TOOHEY
PASSED YEAS 11, NAYS 0, ABSENT 0

**16.3 Document 28-I: Loan Order – Phase 2 Locke st Area Sewer Separation and Water
Main Improvements Filed 12/5**

MOTION BY COUNCILOR TOOHEY, SECOND BY COUNCILOR LEWANDOWSKI



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ROBERT WARD, DPW DIRECTOR ADDRESSED THE COUNCIL. HE STATED THIS LOAN ORDER IS FOR 1.8 MILLION DOLLARS. THIS IS DESIGN WORK FOR PHASE II CSO SEPARATION INCLUDED IN THIS IS WATER MAIN IMPROVEMENTS. IT IS REQUIRED BY THE CONSENT DECREE ISSUED BY THE US DEPARTMENT OF JUSTICE, US EPA AND MASS DEPT OF EPA IN 2016. THE DEBT SERVICE PAYMENTS WILL BE SPLIT BETWEEN WATER/WASTEWATER. THE LOAN PAYMENTS IN TOTAL ARE ABOUT \$128,000 PER YEAR OVER 20 YEARS. IT WORKS OUT TO BE 4 CENTS ON THE SEWER AND 2 CENTS ON THE WATER RATE. IN TOTAL ITS \$5.00 A YEAR FOR ANNUAL BILL.

COUNCILOR ROGERS ASKED IF THE INCREASE TO THE BILL IS NOT PUT IN THE BUDGET?

ROBERT WARD STATED WE TRY TO FORECAST A 5 YEAR PLAN. WE TRY TO PREDICT WHEN WE WILL HAVE TO PAY IT.

COUNCILOR BASILIERE ASKED WHAT AREA OF THE CITY DRAINS TO THAT AREA, THE LOWER ACRE TOWARDS THE RIVER?

ROBERT WARD STATED YES. ESSEX, LOCUST, LOCKE, WINTER AND NORTH OF WINTER.

MOTION BY COUNCILOR TOOHEY, SECOND BY COUNCILOR LEWANDOWSKI
PASSED YEAS 11, NAYS 0, ABSENT 0

**16.4 Document 28-J; Loan Order – Sherwood Water Booster Pumping Station and
Persimmon Water Booster Pumping Station**

ROBERT WARD, DPW DIRECTOR ADDRESSED THE COUNCIL. THIS LOAN ORDER IS FOR 4.6 MILLION. THE MONEY IS TO PAY FOR REPLACING THE PERMISSION WOODS PUMPING STATION WHICH IS LOCATED NEAR THE BRADFORD COUNTRY CLUB. THIS COVERS TOWNE HILL ROAD, A COUPLE OF SIDE STREETS AND GOES OVER TOWARDS VALLEY VIEW FARM ROAD, CHADWICK ROAD TOWARDS SALEM STREET. HE STATED THE OTHER PUMPING STATION IS SHERWOOD DRIVE. HE STATED THAT COVERS UP THE HILL OF BRAEWOOD DRIVE AND OUT TO KINGSBURY AND ACROSS TO HOYT ROAD AND THEN EXTENDS TOWARDS WILLOW AVENUE AND EXTENDS THE OTHER END AT BOSTON ROAD.

1.8 MILLION DOLLARS CAME FROM THE ARPA BUDGET AND REMAINING 2.76 MILLION WILL BE FUNDED WITH THIS LOAN ORDER. HE NOTED WE PUT THE LOAN ORDER IN AT THE FULL AMOUNT TO MAKE SURE IT IS COVERED. THE DEBT SERVICE WILL HIT THE RATE AT 9 CENTS WHICH IS ABOUT \$7.00 ON THE ANNUAL BILL.

COUNCILOR MICHITSON STATED HE HAS THE FOLLOWING AMENDMENT TO OFFER IN LINE 2 STRIKE THE WORD "REHAB" AND REPLACE IT WITH THE WORDS "THE REHABILITATION".

MOTION BY COUNCILOR MICHITSON ON THE AMENDMENT SECOND BY VICE PRESIDENT JORDAN
PASSED YEAS 11, NAYS 0, ABSENT 0

MOTION BY COUNCILOR MICHITSON TO ACCEPT THE ORDER AS AMENDED, SECOND BY VICE PRESIDENT JORDAN
PASSED YEAS 11, NAYS 0, ABSENT 0

9. UTILITY HEARING(S) AND RELATED ORDER(S):

10. HEARINGS AND RELATED ORDERS:

- 10.1. DOCUMENT 83; CCSP 23-16, Special permit to build/install a large-scale solar field off Lovers lane from applicant Christopher Anderson of Hannigan Engineering, Inc for SPI Solar Inc

Related communication from Beth S Greenblatt, managing director of Beacon Integrated Solutions presenting the peer review report as requested by the City Council

PRESIDENT SULLIVAN STATED I WILL NOW REOPEN THIS HEARING.



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ATTORNEY ROBERT HARB, 40 KENOZA AVENUE ADDRESSED THE COUNCIL ON BEHALF OF THE APPLICANT. HE STATED WITH ME TONIGHT IS MR. GAGNE THE TRUSTEE AND OWNER OF THE PROPERTY. OUR ENGINEER HAS HAD AN ACCIDENT IN HIS FAMILY. HE IS ONLINE AND UNABLE TO BE HERE AT THE LAST MINUTE. HE WILL GO THROUGH HIS SLIDES THAT WE FILED WITH THE CLERKS. HE WILL BE AVAILABLE FOR THAT. YOU WILL HAVE TO GIVE ME A LITTLE INDULGENCE. IF HE WAS HERE, WE COULD WORK BACK AND FORTH A LITTLE SMOOTHER. THERE MAYBE A LITTLE DISRUPTION WITH THE 31 SLIDES.

PRESIDENT SULLIVAN ASKED WHO IS THE PERSON ONLINE, JACK LEE?

ATTORNEY ROBERT HARB STATED NO. CHRIS ANDERSON THE PE. JACK IS ONE OF THE PRIME OFFICIALS. HE IS JUST LISTENING IN.

PRESIDENT SULLIVAN STATED I DON'T SEE CHRIS.

ATTORNEY ROBERT HARB STATED YOU DON'T SEE CHRIS, HE WAS THERE BEFORE.

PRESIDENT SULLIVAN STATED HE IS ONLINE.

ATTORNEY ROBERT HARB STATED HE WAS THE GENTLEMAN THAT SPOKE BEFORE, THE ENGINEER. ALSO, TO MY RIGHT IS MR. KEVIN GARNEAU HE IS OF NORTHEASTERN CONSULTING FORESTRY SERVICE. THERE WERE A LOT OF QUESTIONS ASKED ABOUT THE TREES, AND WE RETAINED A FORESTER WHO WILL HAVE SOME SLIDES AND TALK ABOUT THE TREES. I THINK IT'S IMPORTANT BECAUSE IT HAS BEEN A WHILE SINCE WE HAVE BEEN HERE. I JUST WANT TO GO THROUGH THE REQUIREMENTS OF GETTING THIS THAT WERE SET FORTH IN MR. ANDERSON'S ORIGINAL LETTER TO THE BOARD ALMOST A YEAR AGO. UNDER 255-10.4 THERE ARE A NUMBER OF ITEMS. COMMUNITY NEEDS SERVED BY THE PROPOSAL; MR. ANDERSON WENT THROUGH ALL THE ENERGY NEEDS, THE GENERATIONS, THE GREEN ENERGY BUT WE ALSO HAVE IMPLEMENTED LATER ON THE APPLICANT PAID FOR A PEER REVIEW FOR THE PILOT AND YOU ALL HAVE THAT PILOT ANALYSIS BY BETH GREENBLAT. IN ADDITION TO PERFORMING A GREEN FUNCTION WE ARE ABLE TO OVER 20 YEARS THE DONATION TO THE TOWN THROUGH TAXES \$2,280,680 ACCORDING TO THAT PILOT REVIEW. ALSO, THE APPLICANT HAS VOLUNTEERED VOLUNTARILY TO GIVE \$10,000 TO THE CITY. WE WERE GOING TO ALLOCATE OR SUGGEST IT TO THE ROUTE 108 CULVERT. I DON'T KNOW IF THAT HAS BEEN FINISHED OR DONE. I HAVE BEEN TRYING TO REACH ALL THE DEPARTMENTS TO TALK TO THEM ABOUT THAT. OR WHEREVER THE COUNCIL DEEMS THAT A VOLUNTARY DONATION WOULD GO. I HAVE A FEW IDEAS, AND I AM SURE YOU HAVE SOME. WE HAD HOPED THAT DONATION WOULD BE LARGER, BUT IT TURNED OUT THAT THE PILOT TAXES WERE FAR MORE THAN WHAT THE APPLICANT HAD EXPECTED. THAT FORCED THE APPLICANT TO HAVE TO REDUCE THE VOLUNTARY DONATIONS. IF YOU CAN IMAGINE BESIDES ALL THE TIE-IN FEES THAT HE HAS TO DO WITH ALL THE UTILITIES IN THE GRID HE NOW HAS THIS 2 MILLION DOLLAR FEE. HE WANTED TO SHOW GOOD FAITH AND GIVE SOMETHING AND THE CULVERTS OFF THE ROAD WHERE LOVER'S LANE IS. THE APPLICANT IS VOLUNTARILY OFFERING THIS \$10,000.00 WHEREVER YOU WISH IT TO GO WHETHER IT'S THE CULVERT WORK OR MAYBE SOME YOUTH PROGRAMS AT THE HIGH SCHOOL, WHEREVER. THE SECOND ITEM IS TRAFFIC AND PEDESTRIAN FLOW AND SAFETY; AS YOU KNOW THERE IS NOT GOING TO BE MUCH TRAFFIC GOING UP THAT MOUNTAIN TO GO LOOK AT THIS. I DON'T THINK THIS IS GOING TO BE AN ISSUE. ADEQUACY OF UTILITIES AND OTHER PUBLIC SERVICES; WE ARE NOT USING A LOT OF WATER AND SEWER OR ANYTHING. ON A SIDE NOTE THIS ISN'T A RESIDENTIAL DEVELOPMENT. WE ARE NOT IMPACTING THE CITY AT ALL WITH STUDENTS IN THE EDUCATION AND WE ARE NOT IMPACTING THE WATER, SEWER OR ANY OF THE UTILITIES FOR THE CITY. NEIGHBORHOOD CHARACTER; WELL YOU WILL SEE WITH ALL THE SLIDES THAT WE ARE UP ON TOP OF A HILL AND WE ARE GOING TO BE SURROUNDED BY TREES. IT IS NOT REALLY THIS CLEAR CUTTING THAT EVERYBODY THOUGHT. SOME PEOPLE WE ARE STILL CLEAR CUTTING A 128 ACRES. I SAW WHAV HAD POSTED THAT IT IS 128 ACRES THAT THEY ARE KNOCKING DOWN TO PUT THIS. THAT IS NOT TRUE, YOU ARE GOING TO SEE WHEN WE GO THROUGH THE SLIDES THAT THE AREA OF THE ACTUAL ARRAY IS ABOUT 25 ACRES. FIVE OF THE ACRES ARE ALREADY CLEARED. WE REALLY ARE CLEARING ABOUT 20 ACRES OUT OF 128 OR WHATEVER. IT ISN'T THAT MASSIVE OF WHAT YOU MIGHT THINK. CITY SERVICES AND TAX BASE; THE TAX BASE IS GOING TO INCREASE BECAUSE WE ARE TAKING IT OUT OF 61A, CITY SERVICES WE ARE NOT IMPACTING ANYBODY. WE ESTIMATE THAT THERE WILL BE LESS CITY SERVICES HERE THAN IF IT WAS A RESIDENTIAL DEVELOPMENT. IMPACT TO THE ENVIRONMENT; IN THE SLIDES CHRIS IS GOING TO GO OVER THE PEER REVIEW FOR THE ENVIRONMENT. A LOT OF PEOPLE ARE ASKING ABOUT THE TREES WE CUT DOWN, THAT IS WHY MR. GARNEAU IS HERE TO TALK ABOUT THE PRESENT HEALTH OF THOSE TREES AND ALSO ABOUT THE DECOMMISSIONING PLAN. YOU ARE AWARE OF THIS BUT PROBABLY THE PUBLIC ISN'T. BEFORE ANY PERMITS CAN BE PULLED MR. PILLSBURY AND OTHERS HAVE TO APPROVE A BOND FOR THE DECOMMISSIONING THAT HAS TO BE PUT UP NOW, NOT 20 YEARS FROM NOW. IT HAS AN INCREASE BUILT INTO IT FOR 20 YEARS. PART OF THAT DECOMMISSIONING IS GOING TO INCLUDE REPLANTING TREES. I WILL LET THE EXPERTS TELL YOU HOW MANY TREES AND WHERE THEY ARE GOING TO PUT THEM. WHATEVER WE ARE TAKING DOWN WE ARE GOING TO REPLENISH. MY ROOMMATE USED TO WORK FOR WAREHOUSES TREE AND PAPER COMPANY THEY WOULD CUT DOWN TREES BUT THEY WOULD REPLANT TREES. I THOUGHT THAT WAS SORT OF INTERESTING TO ME, THAT IS ABOUT WHAT WE ARE DOING HERE. WE ARE GOING TO GET RID OF SOME TREES THAT ARE UNHEALTHY, UNSAFE AND THEN LATER ON AT THE END OF 20 YEARS THE DECOMMISSIONING PLAN WE WILL REPLANT. WE ARE



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NOT JUST GOING TO LEAVE A BARREN WASTELAND. THAT IS ALL IN THE DECOMMISSIONING PLAN. HIGHEST BEST USE OF THIS PROPERTY; CHRIS, THE PUBLIC ENGINEER HAD MENTIONED BECAUSE OF THE SLOPES WE ARE NOT ABLE TO DEVELOP THIS INTO RESIDENTIAL PROPERTY. IT IS PROBABLY NOT MUCH ELSE THAT CAN BE DONE EXCEPT SOMETHING LIKE THIS THAT CAN BE BUILT ON SLOPES. WE HAVE MET ALL THOSE REQUIREMENTS AND LASTLY, I JUST WANT TO MENTION, CHAPTER 40A SECTION 3 WHICH SOME PEOPLE CALL THE DOVER AMENDMENT. THE DOVER AMENDMENT OR PART OF IT SAYS ZONING SHALL NOT PROHIBIT OR UNREASONABLY REGULATE INSTALLATION OF SOLAR ENERGY SYSTEMS AND IT GOES ON FOR OTHER THINGS. EXCEPT WHERE TO PROTECT PUBLIC HEALTH, SAFETY OR WELL-FARE. SO, BEFORE I INTRODUCE CHRIS I JUST WANT TO REMIND YOU BILL PILLSBURY, PLANNING DIRECTOR SUPPORTS THIS PROJECT. NONE, NONE OF THE CITY DEPARTMENTS ARE OPPOSED TO THIS PROJECT. WE HAVE GONE THROUGH DEVELOPMENTAL REVIEW. WE ARE GOING TO MEET ALL OF THE REQUIREMENTS OF THE CITY DEPARTMENTS. I DON'T THINK WE ARE GOING TO HAVE AN IMPACT AT ALL ON THE PUBLIC HEALTH, SAFETY AND WELL-FARE IF WE DID ALL THE DEPARTMENTS WOULD HAVE SAID SOMETHING. I HOPE THAT YOU HAD A CHANCE TO LOOK AT THE SLIDES. I KNOW THERE IS A LOT OF THEM AND I WANT TO THANK COUNCILOR LEWANDOWSKI AND THE OTHER COUNCILORS BECAUSE I LEARNED A LOT FROM YOUR QUESTIONS THAT YOU ASKED US TO GO BACK AND GET YOU THIS INFORMATION. I AM ATTORNEY BUT I AM NOT A SOLAR GUY AND I AM NOT A TREE SPECIALIST. BECAUSE OF THE QUESTIONS YOU ASKED TO PUT TOGETHER THIS LENGTHY SIDE PROGRAM I LEARNED A LOT OF THINGS. I THINK YOU'RE GOING TO LEARN A LOT OF THINGS TONIGHT. THEY ARE ALL IN THE SLIDES AND THEY ARE ALL UPLOADED. THERE ARE ALSO OTHER THINGS THAT WE HAVE UPLOADED WHEN YOU LOOK AT THE SLIDES IT MIGHT SAY LINK. THE LINKS ARE ALL UPLOADED IN PACKAGES WITH WHAT GOES WITH IT ON THE WEBSITE. I HOPE HE IS ONLINE, I WOULD LIKE TO FIRST TURN IT OVER TO CHRIS ANDERSON OUR ENGINEER AND HE IS GOING TO START WITH THE SLIDES. WE WILL COVER THOSE 11 ITEMS THAT YOU ASKED US TO. THEY ARE ALL COVERED IN THE SLIDES. I THINK IT IS ALSO IMPORTANT FOR THE PUBLIC WATCHING ON TV AND THOSE HERE TO HEAR THE ANSWERS TO THOSE 11 ISSUES THAT WERE ASKED. I THINK THAT WILL HELP INFLUENCE THEIR OPINION. CHRIS, IF YOU ARE THERE TAKE IT AWAY AND IF YOU CAN REMEMBER THAT THE MEDIA HAS ASKED THAT YOU SAY NEXT SLIDE PLEASE WHEN YOU WANT THE SLIDES CHANGED.

CHRIS ANDERSON ASKED IF EVERYONE COULD HEAR HIM.

PRESIDENT SULLIVAN STATED A LITTLE LOUDER CHRIS.

CHRIS ANDERSON OF HANNIGAN ENGINEERING, INC. OF LEOMINSTER, MA ADDRESSED THE COUNCIL. I AM PRESUMING THAT THE COUNCIL CAN SEE THE SLIDE SHOW UP ON THE SCREEN.

PRESIDENT SULLIVAN STATED WE CAN.

CHRIS ANDERSON STATED THIS IS THE TITLE PAGE AND IF WE COULD GO TO THE NEXT SLIDE, PLEASE. AT THE LAST HEARING WE WERE AT WE RECEIVED A PLETHORA OF QUESTIONS AND COMMENTS FROM THE COUNCIL AS WELL AS THE PUBLIC. SLIDE NUMBER 2 GOES THROUGH THE SPECIFIC ITEMS THAT WERE BROUGHT UP WITH THE LINKS TO THE CORRESPONDING SLIDES AND ANY OTHER INFORMATION. SLIDE 3 REFLECTS THE SAME KIND OF THING GOING THROUGH EACH INDIVIDUAL ITEM THAT WAS BROUGHT UP WE WILL GO IN DEPTH FURTHER INTO THE PRESENTATION. AT THE PREVIOUS MEETING IT WAS REQUESTED THAT A MUCH MORE CLEARER PLAN BE PROVIDED SO THE COUNCIL CAN REVIEW IT. THE ENGINEERING PLANS CAN BE SOMEWHAT CUMBERSOME AT BEST. WE ARE SHOWING THE LIMIT OF CLEARING RELATIVE TO THE OVER ALL DEVELOPMENT. THE AREAS THAT ARE SHADED IN A LIGHT GRAY ARE THE EXISTING WOODLANDS THAT ARE TO REMAIN. THE WHITE AREA WILL BEING THE CLEARED AREA FOR THE DEVELOPMENT. IN ADDITION TO THAT WE HAVE PROVIDED SOME OFFSETS TO SHOW THE LIMIT OF CLEARING TO THE ACTUAL KEY MONUMENT POINTS IF YOU WILL AROUND THE PROPERTY. FOR EXAMPLE, SITE A IS APPROXIMATELY 353 FEET FROM ROUTE 108 AND APPROXIMATELY 468 FEET FROM THE ABUTTING PROPERTY DWELLING. RELATIVE TO LOIS STREET WHICH IS LOCATED TOWARDS THE PAGE RIGHT YOU ARE APPROXIMATELY 516 FEET OF WOODLANDS TO REMAIN BETWEEN THE PROPERTY CORNER OF THE PROPERTY TO THE LIMITED CLEARING. FROM THAT CORNER AS WELL YOU ARE ABOUT 975 FEET TO THE CLEARING OF SITES B-C. THERE IS QUITE A BIT OF LAND MASS BETWEEN THE CLEARING AND A COUPLE OF CRITICAL POINTS AROUND THE SITE. WE WILL GET INTO A LITTLE BIT FURTHER BUT AS PREVIOUSLY MENTIONED WE ARE CLEARING APPROXIMATELY 21 ACRES OF LAND IN ORDER TO BUILD THIS. OF THAT A LITTLE BIT MORE THAN FIVE HAS ALREADY BEEN CLEARED. THE FORESTER WILL GO INTO FURTHER DETAIL ABOUT THE CONDITION OF THE TREES AND OTHER VEGETATION ON THE SITE AT THE MOMENT. WE JUST WANT TO PROVIDE THIS PLAN IF YOU WILL TO HELP CLEAR UP ANY CONFUSION WHERE THE PROJECT SITS AND THE LIMITED CLEARING FOR IT. AT THE PREVIOUS MEETINGS AS WELL CONCERNS WERE RAISED ABOUT STORM WATER AND ITS IMPACTS ON THE ON DEVELOPMENTS SURROUNDING AREAS. AS PART OF THE NOTICE OF INTENT FILING WITH THE CONSERVATION COMMISSION A PEER REVIEW WAS REQUESTED BY BOTH THE AGENT ROBERT MOORE AS WELL AS THE CONSERVATION COMMISSION BY A THIRD PARTY REVIEW ENGINEER; COMPREHENSIVE ENVIRONMENTAL INC (CEI). PERFORMED THAT STUDY DURING THE NOTICE OF INTENT PROCESS. WE ADDRESSED ALL COMMENTS TO BRING THE SITE INTO COMPLIANCE WITH THE CURRENT REGULATIONS RELATIVE TO THE STORMWATER MANAGEMENT. AS YOU CAN SEE HERE, THE FIRST PAGE REFLECTS STANDARD #1 OF THE STORMWATER MANAGEMENT



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REGULATIONS. I CAN GO INTO SPECIFIC DETAILS OF EACH STANDARD IF THE COUNCIL WOULD LIKE. EACH STANDARD REFLECTS A CERTAIN LEVEL OF DESIGN CRITERIA, TREATMENT OR MITIGATION TO ENSURE THAT WE DON'T HAVE A NEGATIVE IMPACT ON OFF SITE POINTS AROUND THE PROPERTY. THE NEXT SLIDE IS A CONTINUATION OF THE OVERALL REVIEW FROM CEL. SPECIFIC TO THE VARIOUS ASPECTS OF THE SITE SPECIFICALLY STANDARD #2 WHICH IS THE PEAK RATE MITIGATION FROM THE DEVELOPMENT. UNDER STORMWATER MANAGEMENT UNDER STATE AND LOCAL REQUIREMENTS WE ARE REQUIRED TO BE AT OR BELOW THE PRE-EXISTING PEAK RATES FLOW FROM THE PROPERTY. EACH ONE OF THESE COMMENTS ADDRESSES THEIR CONCERNS. THE NEXT SLIDE REFLECTS STANDARD #3 WHICH IS RELATIVE TO RECHARGE, CER IS ADDRESSING THAT WE HAVE MET THEIR REQUIREMENTS. STANDARD #4 IS RELATIVE TO TOTAL SUSPENDED SOLIDS OR TSS REMOVAL. BECAUSE OF THE NATURE OF THE PROJECT THERE IS NOT TOO MUCH TSS DEVELOPED. AS SUCH WE ARE REMAINING COMPLIANT WITH THAT PART OF THE REGULATION. STANDARD #4 IS RELATIVE TO LAND USES WITH HIGHER POTENTIAL POLLUTANT LOADS FOR WHICH WE DO NOT APPLY. STANDARD #6 DISCHARGES NEAR TO ANY CRITICAL AREAS AS DESIGNATED WITHIN STORMWATER MANAGEMENT. THERE ARE NONE AS LISTED WITHIN STORMWATER MANAGEMENT THE AREA. WE DO COMPLY WITH COMPLIANCE WITH THAT ASPECT OF STORMWATER MANAGEMENT. STANDARD #7 IS SPECIFIC TO REDEVELOPMENT STANDARDS. THIS PROJECT IS A NEW DEVELOPMENT, SO WE DO NOT APPLY. STANDARD #8 IS RELATIVE TO CONSTRUCTION RELATED ACTIVITIES EROSION AND SEDIMENTATION DUE TO THE OVERALL SCOPE OF THE PROJECT A STORMWATER POLLUTION PREVENTION PLAN WILL BE PROVIDED. WE WILL PROVIDE IT TO THE CONSERVATION COMMISSION AND ANY OTHER DEPARTMENTS AS NECESSARY. THAT IS FILED WITH THE EPA AND IS TYPICALLY DONE BEFORE CONSTRUCTION BEGINS AT WHICH POINT ALL PARTIES ASSOCIATED WITH THE CONSTRUCTION ARE DETERMINED AND EVERYBODY HAS A REPORT TO FOLLOW AS PART OF THE CONSTRUCTION PROCESS. STANDARD #9 IS RELATIVE TO THE MAINTENANCE OF THE STORMWATER MANAGEMENT FEATURES. WE HAVE INCORPORATED AN OPERATION AND MAINTENANCE PLAN AS PART OF THE OVERALL DEVELOPMENT WHICH OUTLINES AND DETAILS THE FREQUENCY AND THE MAINTENANCE REQUIRED OF ALL THE STORMWATER MANAGEMENT FEATURES ON THE SITE. STANDARD #10 IS RELATIVE TO A LIST OF DISCHARGES ITS BASICALLY A STATEMENT PROVIDED AT THE CLOSE OF THE PROJECT TO THE COMMISSION THAT THERE ARE ONLY AUTHORIZED DISCHARGES TO THE STORMWATER MANAGEMENT SYSTEM. THAT IS DONE AT THE COMPLETION OF THE CONSTRUCTION WHEN EVERYTHING IS SAID AND DONE. THE REMAINING COMMENTS RAISED BY CER ARE GENERALLY ENGINEERING COMMENTS WHICH WE HAVE ADDRESSED. THE NEXT SLIDE IS FURTHER COMMENTS RELATIVE TO GENERAL ENGINEERING. I WOULD NOTE THAT WE ARE UTILIZING THE MORE CURRENT STORM EVENTS IF YOU WILL. CURRENTLY THE STATE REGULATIONS REQUIRE THAT WE FOLLOW TP 40 RAINFALL EVENTS WHICH WERE GENERATED SEVERAL DECADES AGO. CURRENTLY THERE ARE VARIOUS PUBLICATIONS RELATIVE TO THE ADJUSTED STORMWATER EVENTS SPECIFICALLY THE ATLAS 14 WHICH WAS DEVELOPED BY NOAH WHICH WE HAVE INCORPORATED. THIS IS TYPICALLY MORE INTENSIVE STORMWATER EVENTS SO WE ARE PROVIDING A COMPREHENSIVE STORMWATER MANAGEMENT BASED ON CURRENT STORMWATER EVENTS THAT WE ARE SEEING ON A MORE REGULAR BASIS. THIS SLIDE REFLECTS AN AERIAL PHOTOGRAPHY OF THE ACTUAL SOLAR ARRAY AND IT WILL APPEAR ON SITE. THAT WAS A REQUEST OF THE COUNCIL AT THE PREVIOUS MEETING. THE NEXT SLIDE IS A PICTURE OF THE GROUND MOUNTED SOLAR ARRAY JUST FOR REVIEW OF THE COUNCIL IN CASE NOBODY HAS ACTUALLY HAS SEEN ONE BEFORE. THIS IS A TYPICAL INSTALLATION OF A SOLAR ARRAY. THIS SLIDE SHOWS AT THE PREVIOUS MEETING THERE WERE CONCERNS RAISED ABOUT WHAT WE WOULD SEE FROM THIS DEVELOPMENT. WE WENT BACK AND LOOKED AT KEY POINTS AROUND THE AREA THAT MIGHT HAVE BEEN OF CONCERN. ONE OF WHICH WAS WINNEKENNI CASTLE THAT IS LOCATED ON THE OPPOSITE SIDE OF THE HIGHWAY. WE DID REVIEW THAT AS YOU CAN SEE. THE LANDOWNER MR. GAGNON DID GO OUT TO THE CASTLE PROPERTY AND TOOK A PICTURE OF THE CELL TOWER WHICH YOU CAN SEE HERE. FOR THE MAJORITY OF THE SITE THERE WOULD BE SOME CLEARING AT THE TOP OF THE HILLSIDE IF YOU WILL. IN GENERAL, THE VIEW FROM THE CASTLE WOULD BE MODERATELY IMPACTED BY THE DEVELOPMENT BUT NOT TO A SIGNIFICANT EVENT AS MUCH AS EXPECTED. IN ADDITION TO THE CASTLE, WE DID LOOK AT THE ONRAMPS FOR ROUTE 110 WHICH ARE ALSO IN CLOSE PROXIMITY TO THE ACTUAL DEVELOPMENT AS YOU CAN SEE IT SHOWS THE RAMP VIEW POINT FROM ROUTE 110 GOING SOUTHBOUND ON THE HIGHWAY. EFFECTIVELY THE EXISTING TOPOGRAPHY OF THE SITE BLOCKS THE ENTIRE DEVELOPMENT. YOU HONESTLY WOULDN'T SEE THAT FROM THE ONRAMP INTERSECTION. IF YOU LOOK TO THE PICTURE ON THE RIGHT HAND SIDE OF THE SLIDE THAT WAS TAKEN FROM THE 110 RAMP GOING NORTHBOUND. AS YOU CAN SEE THERE IS THE CELL TOWER IN THE CIRCLE AREA AND AGAIN THE VIEW FROM THE ON-RAMP AT THIS LOCATION WOULD BE MINIMAL AT BEST. THE NEXT SLIDE IS AGAIN A REITERATION OF THE CASTLE VIEW LINE. THE FORESTER DID TAKE A LOOK AT THE EXISTING TREES IN THE AREA RELATIVE TO WHAT IMPACTS YOU WOULD SEE AND CAME OUT TO THE SAME CONCLUSION THAT IN CERTAIN AREAS YOU WILL SEE PORTIONS OF THE SITE, BUT THE MAJORITY WILL BE OBSCURED DURING NORMAL VEGETATION. THE NEXT SLIDE I BELIEVE BOB WILL REVIEW PILOT AGREEMENT. ROBERT HARB ADDRESSED THE COUNCIL AND STATED THE PILOT AGREEMENT IS VERY LONG AND EVERYBODY CAN READ IT. THE BOTTOM LINE THEY CAME TO THE CONCLUSION THAT OVER THE 20 YEAR PERIOD OF THE LIFETIME OF THE PROJECT PAYMENTS WOULD TOTAL \$2,280,680.00 ON THAT AGREEMENT TO PAYMENT IN LIEU OF TAXES. THE LAND ITSELF WOULD BE TAXED AND NOW



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WHERE THAT PORTION OF THE LAND WAS UNDER 61A, NOW IT WILL BE TAXED. THERE IS A ROLL BACK TAX AND I DON'T KNOW HOW MUCH THAT IS BUT THERE WILL BE A PAYMENT OF THE ROLLBACK TAX AND I MENTIONED THE \$10,000.00 CONTRIBUTION VOLUNTARILY THAT THE APPLICANT WOULD MAKE TO THE CITY FOR WHATEVER USE IT WISHES WHETHER IT IS THE CULVERT OR SOME YOUTH PROGRAMS AT THE HIGH SCHOOL OR WHATEVER. I THINK THERE IS ADEQUATE FUNDS COMING TO THE CITY IN THAT REGARDS INCLUDING THE CONTRIBUTION. I THINK IF WE GO TO SLIDE 19, WE ARE GOING TO START TALKING ABOUT THE TREES. THERE ARE 3 OR 4 SLIDES, I AM GOING TO ASK MR. GARNEAU OF NORTHEASTERN CONSULTING FORESTRY SERVICE TO COME UP AND GO THROUGH HIS SLIDES. THESE ARE SLIDES THAT HE HELPED CREATE AND HE CAN TELL YOU ABOUT THE EXISTING TREES AND WHAT YOU ARE GOING TO DO, WHAT WE ARE GOING TO TAKE DOWN AND HE CAN ALSO TALK ABOUT THE DECOMMISSIONING PLAN, THE TREES THAT WE ARE GOING TO REPLANT WHEN WE ARE ALL DOWN.

KEVIN GARNEAU OF NORTHEASTERN CONSULTING FORESTRY SERVICES BASED OUT OF LOWELL, MA ADDRESSED THE COUNCIL. HE STATED OUR FIRM WAS HIRED, I GUESS THERE WAS CONFUSION AS TO THE NUMBER OF TREES THAT WERE GOING TO BE REMOVED. WE RECEIVED THE PLANS AND DETERMINED THAT THERE ARE 25-26 ACRES OF AREA THAT IS GOING TO BE AFFECTED BY THIS PROPOSED SOLAR PROPERTY. WE WENT OUT AND SET FIXED POINTS THROUGHOUT THAT PROPERTY TO TAKE A PERCENTAGE OF THE TREES WHICH, IT IS NOT PART OF THE SLIDES YOU HAVE TONIGHT, BUT IT WAS PART OF THE PACKET THAT WAS PROVIDED TO THE CITY COUNCIL THAT YOU SHOULD HAVE. BASICALLY, WHAT THE PACKET SAYS IS 2,470 TREES PLUS OR MINUS WOULD BE REMOVED IN THAT 25-26 ACRES. PARCEL B AND C ON SLIDE #21 THERE'S AN EXAMPLE OF SOME OF THE INVASIVES THAT HAVE OCCURRED. WE HAVE ORIENTAL BITTERSWEET, MULTIFLORAL ROSE, NORWAY MAPLE. THE ORIENTAL BITTERSWEET THROUGHOUT THE SITE IS ACTUALLY GIRDLING SEVERAL OF THE TREES. IT IS ALSO INDICATED IN THE OTHER PACKET. SO THOSE TREES ARE ALREADY DYING. IF YOU GO BACK TO SLIDE #20 THERE WAS THE EMERALD ASH BORER JUST RECENTLY IDENTIFIED BY MASS DCR AND A 2024 AERIAL SURVEY WHICH BASICALLY AFFECTS THE B-C PROPERTY AND A PORTION OF THE A BUT IT IS OUTSIDE THE SOLAR ARRAY. THAT'S PRETTY MUCH IT THERE. NOW, THERE IS SOME CONFUSION ON ACRES AND ALL THIS STUFF ON MY ORIGINAL REPORT WE HAVE BECAUSE CHAPTER 61A THE AGRICULTURAL TAX LAW, SO WE USE THE ASSESSOR'S RECORDS. WHEN WE FILE WITH THE CHAPTER 61-61A PLAN WITH THE STATE WE HAVE TO USE THE HAVERHILL TAX ASSESSOR'S RECORDS. BASED ON THE TAX RECORDS WE HAVE TOTAL ACRES OF 106.799 ACRES THAT THE GAGNON FAMILY OWNS IN TWO SEPARATE TRUSTS. THERE IS ACTUALLY TWO SEPARATE TRUSTS HERE. GOING FORWARD THERE WAS CONCERN ABOUT WHAT WE WERE GOING TO DO TO PROTECT THE TREES THAT ARE OUT THERE NOW EXCLUDING THE CUT AREA. IT'S CURRENTLY IN AGRICULTURE, THE GAGNON FAMILY HAS DECIDED THEY ARE GETTING OUT OF THE CHRISTMAS TREES BECAUSE THAT IS WHERE THE SOLAR ARRAY WILL BE. THE REMAINING LAND OF APPROXIMATELY 78 ACRES IS GOING TO BE PLACED BACK INTO FORESTRY UNDER THREE FOREST MANAGEMENT PLANS AND THE REASON WHY IS GAGNON ONE FAMILY TRUST OWNS THE PARCEL A, A PARCEL BEHIND IT AND ALSO A HOUSE LOT. THEN GAGNON 2015 TRUST ACTUALLY OWNS FOUR PARCELS, PARCEL B AND C WILL HAVE 10 ACRES PLACED BACK INTO A FORESTRY. ON THE OTHER SIDE OF AN OPEN FARM FIELD, IS APPROXIMATELY 16 ACRES OF LAND THAT IS ALSO GOING TO BE IN FORESTRY WHICH HAS NOTHING TO DO WITH THE SOLAR ARRAY BUT THEY WANT TO CONTINUE ON WITH SOME TYPE OF PROTECTION ON THE PROPERTY. MR. GAGNON CURRENTLY CUTS 2-6 CORDS OF CORD WOOD. HE IS CONCENTRATING ON THE DYING AND DEAD TREES WHICH ARE MOSTLY THE WHITE ASH AND HE USES THAT FOR HIS FUEL WOOD TO HEAT THE HOUSE. WE ARE IN THE PROCESS OF FILING THREE SEPARATE FOREST MANAGEMENT PLANS REGARDLESS OF THE SOLAR PERMIT BECAUSE HE NEEDS THESE PERMITS TO GO FORWARD FOR HIS FORESTRY PROTECTION AND ALSO MAINTAINING THE TAX BASE. THAT BEING SAID, IN 20 YEARS THERE IS A DECOMMISSIONING REQUIRED. I HAVE INCLUDED IN THE PACKET A SOIL PLAN FROM THE USDA WHICH INDICATES THE TREES TO MANAGE FOR. I CAN PROVIDE THAT AGAIN. BASICALLY, THE SOIL TYPES THAT ARE OUT THERE INDICATE NORTHERN RED OAK AND EASTERN WHITE PINE WHEN YOU DO A PLANTING OF EASTERN WHITE PINE ANYWHERE FOR 10-20 FEET ON CENTER FOR THE TREES IS RECOMMENDED. THE NORTHERN RED OAK IS 9' ON CENTER WHEN YOU PLANT THE TREES. WE FLIPPED A DIME AND CALLED IT 10X10 AND WE CAME OUT TO 10,890 BARE ROOT SEEDLINGS THAT WOULD BE PLANTED THROUGHOUT THE 26 ACRES DURING THE DECOMMISSIONING PROCESS. THAT IS PRETTY MUCH IT UNLESS THE COUNCIL HAS QUESTIONS ON THE ACTUAL PLANS AND THE FORESTRY STUFF.

PRESIDENT SULLIVAN STATED THE COUNCIL WILL ASK THEIR QUESTIONS WHEN WE CLOSE THE HEARING.

KEVIN GARNEAU STATED I AM SORRY.

PRESIDENT SULLIVAN STATED BOB DO YOU WANT TO COME UP, DO YOU HAVE ANYTHING MORE TO PRESENT?

ATTORNEY ROBERT HARB STATED I JUST WANT TO FINISH GOING THROUGH THE SLIDES BECAUSE WE WANTED TO ANSWER ALL ELEVEN OF THE ITEMS THAT WAS SET FORTH BY THE COUNCIL. ON SLIDE #25 WE WILL SHOW YOU THE IMPACT OF THE 9,388,823 KW HOURS WHAT THAT TRANSMITS TO SO MANY HUNDREDS OF GALLONS OF GASOLINE, HOW MANY HOMES.

PRESIDENT SULLIVAN STATED ATTORNEY HARB WE ARE STILL TRYING TO FIND THAT SLIDE.



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ATTORNEY ROBERT HARB STATED THERE'S A PICTURE OF THE CAR, HOME AND GAS TANK. THIS IS WHAT THE KILOWATT HOURS WOULD COMPUTE TO. IF YOU GO TO THE NEXT SLIDE, IT SAYS THAT IS EQUAL TO OVER 3,000 BARRELS OF OIL, 301,312 5 LB PROPANE TANKS. THIS IS JUST THE ENVIRONMENTAL IMPACT OF THE BENEFIT OF BEING GREEN. SLIDE #28 WE WERE ASKED WHAT WAS THE PLAN OF THE LAND OWNER YOU HAVE HEARD WHAT HE IS DOING WITH ALL THE OTHER LAND SOME OF THIS LAND IS INVOLVED IN A TRUST AND THERE IS A NUMBER OF FAMILY MEMBERS. THEY ALL HAVE TO GET TOGETHER AND MUTUALLY AGREE ON WHAT IS GOING TO HAPPEN. THIS LAND THAT THE PROJECT IS ON THERE IS NOT MUCH ELSE YOU CAN DO ON IT OTHER THAN THIS PROJECT GO BACK AND LEAVE THE DEAD TREES. AS MR. GARNEAU SAID THE ASSESSOR'S SAID IT WAS A 106 BUT THE ENGINEER SAYS WE HAVE ABOUT 128 ACRES. IF YOU JUST TAKE OUT THE 25 THERE'S OVER 100 ACRES THAT ARE STILL GOING TO BE MAINTAINED FOREST AND WILL BE KEPT LIKE IT IS NOW. WE HAVE TO LOOK AT THE WHOLE PICTURE NOT JUST THIS PORTION. AS WAS MENTIONED OF THE ACRES THAT WAS PUT WITH THE PROJECT 5 ACRES ARE ALREADY NO TREES OR JUST BRUSH. WE ARE REALLY NOT KNOCKING DECOMMISSIONING 25 ACRES WE ARE REALLY ONLY TAKING TREES DOWN ON 20 ACRES OUT OF 128. THE LAST THING WE WERE ASKED WAS WHAT ELSE CAN YOU DO FOR AGRICULTURE THERE AND WE HAVE SEARCHED HIGH AND LOW TO FIGURE OUT WHAT WE CAN DO. THE DEVELOPERS SAID THERE IS NOT MUCH IN THIS KIND OF SOLAR ARRAY. WE CAN'T GROW THINGS UNDERNEATH, BUT I DID MENTION TO THEM AS YOU KNOW I DID ANOTHER PROJECT AROUND THE CORNER, AND THEY BROUGHT IN BEES. HE HAS REACHED OUT TO THE MASS BEEKEEPERS ASSOCIATION, ESSEX COUNTY BEEKEEPERS ASSOCIATION SO THEY INTEND TO WORK OUT THAT OUT. THAT IS THE AGRICULTURAL TIE IN WITH THIS PARTICULAR PROPERTY. IF YOU GO BACK WE WERE ASKED 11 ITEMS. THE NOT BUSY PLAN, WE SHOWED YOU THAT. THE PEER REVIEW FOR THE WATER, WE SHOULD YOU THAT. THE WATER FILTRATION, THE ENGINEER COVERED THAT. AN AERIAL VIEW OF THE SITE AND WHAT IT WILL LOOK LIKE. THEY DID HIRE A DRONE THAT DID THE ACTUAL PICTURE AND THEN INPUTTED THE SITE THERE. YOU HAVE THAT IN YOUR PACKAGE. LINES OF SIGHT, CHRIS DIDN'T MENTION THE PLANS ARE KIND OF SMALL 8.5x11 YOU CAN SEE A LINE IN TREES, THEY ACTUALLY WENT OUT AND SHOT A LINE SO YOU COULD SEE. IF YOU LOOKED UP YOU CAN'T SEE BEYOND THE TREES AND THAT'S WHAT HE WAS MENTIONING IN THOSE SLIDES THAT YOU CAN'T REALLY SEE THE ARRAY BECAUSE THE CURRENT TOPOGRAPHY AND THE TREES AS YOU SAW FROM THE PLAN OF THE 25 ACRES THERE'S STILL TREES GOING TO BE ALL AROUND IT. WE WENT OVER THE FINANCIAL BENEFITS. MR. GARNEAU WENT OVER THE TREES THAT WE ARE GOING TO TAKE DOWN AND THE TREES WE ARE GOING TO PLANT. I THINK HE MISSED THAT WE ARE GOING TO PLANT OVER 1200...OH 11,000 TREES WE ARE GOING TO REPLANT IN THE DECOMMISSIONING PLAN. BASICALLY WE ARE ACTING LIKE A TREE COMPANY. WE ARE GOING TO GO BACK AND REPLANT THESE TREES OVER 11,000 TREES. AND CONSERVATION WE SHOULD YOU WHY IT IS GOOD TO BE GREEN. SO WE THINK WE HAVE MET ALL THE REQUIREMENTS OF WHAT YOU ASKED FOR THE LAST TIME WE WERE HERE. WE MET ALL THE REQUIREMENTS OF THE STATUTES AND NO DEPARTMENTS ARE OPPOSED AND THE PLANNING DIRECTOR SUPPORTS THE PROJECT AND WE HOPE THAT YOU SUPPORT THE PROJECT.

PRESIDENT SULLIVAN STATED WE DID LET THE PUBLIC SPEAK LAST TIME AND WE WILL LET THEM SPEAK AGAIN ON A LIMITED BASIS. WOULD ANYONE LIKE TO SPEAK? CHRISTINE, WOULD YOU LIKE TO SPEAK? WE ARE GOING TO LIMIT IT TO THREE MINUTES.

COUNCILOR MCGONAGLE STATED POINT OF ORDER AND ASKED DO YOU WANT TO LIMIT IT TO FOUR?

PRESIDENT SULLIVAN STATED WE COULD DO FOUR.

COUNCILOR MCGONAGLE STATED I AM SAYING OTHERS WHO WANT TO SPEAK IN FAVOR?

PRESIDENT SULLIVAN ASKED IF ANYONE ELSE WOULD LIKE TO SPEAK IN FAVOR? WOULD ANYONE ELSE LIKE TO SPEAK IN FAVOR? IS THERE ANYONE ONLINE? THEN WE WOULD HAVE ANYONE WHO WOULD LIKE TO SPEAK IN OPPOSITION?

CHRISTINE KWITCHOFF, 14 COLBY'S LANE ADDRESSED THE COUNCIL. SHE STATED IT WASN'T JUST THE COUNCILORS THAT HAD ALL THESE QUESTIONS. IT WAS THE COMMUNITY ALSO. WE KNOW FROM OCTOBER 1ST I MYSELF HAD MANY QUESTIONS. IT IS REALLY HARD TO DIGEST THESE ANSWERS SEEING THEM FOR THE FIRST TIME IN A MEETING LIKE THIS, PRETTY DETAILED INFORMATION THAT IS STILL REALLY HARD TO READ. I WANTED TO GO ON THE RECORD WITH THAT. I THINK THESE SHOULD HAVE BEEN SHARED WITH THE PUBLIC IN THE CITY COUNCIL DECK SO WE COULD ALL SEE THEM IN ADVANCE. THAT POINT ASIDE, I WANT TO START BY SAYING MR. GAGNON BEHIND ME YOU ARE A REALLY FORTUNATE MAN. YOU OWN AYER HILL THE HIGHEST HILL IN HAVERHILL AND AS WE CAN SEE FROM TONIGHT'S PRESENTATION THE VIEW FROM AYER'S HILL TO THE SOUTH INCLUDES TILTON'S SWAMP, KENOZA LAKE AND WINNEKENNI CASTLE. THIS IS AN INCREDIBLE BEAUTIFUL AREA. IT IS ONE OF THE MOST SCENIC IN HAVERHILL. PEOPLE TAKE VIEWS LIKE THIS FOR GRANTED. THEY DON'T THINK ABOUT LAND OWNERSHIP WHEN THEY ARE LOOKING AT THIS LAND. THEY APPRECIATE THE VIEW, AND THEY BELIEVE IT BELONGS TO THE PEOPLE TO THE COMMUNITY AT LARGE. WHAT WE DON'T REALIZE IS UNPROTECTED OPEN SPACE LIKE AYER HILL IS OURS TO LOSE AND IT'S ONLY AFTER A SITE LIKE THIS DEVELOPED THAT THEY BEMOAN THE OUTCOME. IN JULY 2024, ROB MOORE AND THE CONSERVATION COMMISSION MADE THREE RECOMMENDATIONS WHEN THEY REVIEWED THE REQUEST TO SHIFT SOME OF MR. GAGNON'S LAND OUT OF TAX CLASSIFICATION CHAPTER 61A IN PREPARATION FOR THIS PROPOSED PROJECT. MR. MOORE AND THE COMMISSION



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DIDN'T MAKE THESE RECOMMENDATIONS AS EITHER OR RECOMMENDATIONS WHICH IT SEEMS LIKE IN TONIGHT'S PRESENTATION ITS SEEMED LIKE A MENU TO CHOOSE FROM, WHICH OF MR. MOORE'S AND THE CONSERVATION COMMISSION POINTS ARE WE GOING TO ADDRESS. THE INTENT WAS TO ADDRESS ALL OF THEM. ONE OF MR. MOORE'S RECOMMENDATIONS WAS DUAL AGRICULTURAL USE, WHICH YOU HAVE JUST ADDRESSED WITH THE BEEHIVE MANAGEMENT PLAN. I HAVE A QUESTION I WAS CLOSELY FOLLOWING WHAT WAS HAPPENING AT THE SOLAR ARRAY AT 139 AMESBURY ROAD IN MY RECOLLECTION OF THAT THERE WAS A PROPOSAL TO PUT BEEHIVES ON THAT LAND, BUT IT DIDN'T GET APPROVED, THE SOLAR COMPANY AGAIN I LOOK BACK AT MY NOTES ON THIS TODAY WAS THAT THEY WERE CONCERNED ABOUT LINKING THEIR PROJECT TO BEE COLONIES AND THE WILD FLOWER PRODUCTION THAT SUPPORTS BEES AND BUTTERFLIES. SO I AM CONFUSED NOW BY HEARING TONIGHT THAT 139 AMESBURY LINE ROAD WHICH IS RIGHT NEXT TO WHITTIER TECH WHICH IS BEING BUILT RIGHT NOW, THAT WHICH I DRIVE PAST EVERY DAY OF MY LIFE AND I'VE BEEN WATCHING THAT ITS QUITE VISIBLE ACTUALLY FROM AMESBURY LINE ROAD I WOULD JUST LIKE SOME CLARITY ON WHAT IS HAPPENING WITH THE BEES THERE BECAUSE I JUST DON'T KNOW IF THAT'S GOING TO BE INDICATIVE.

PRESIDENT SULLIVAN STATED THAT MATTER IS NOT BEFORE US THAT YOU COULD GET CLARITY ON ANOTHER OCCASION. WE ARE DEALING WITH THIS.

CHRISTINE KWITCHOFF STATED THAT IS FAIR. SHE STATED SOME OTHER THINGS WE TALKED ABOUT WAS LAND GOING INTO 61A OR BACK INTO 61A. THAT LAND WHEN IT GOES INTO THAT CHAPTER, THAT TAX CLASSIFICATION ISN'T CONSERVED SO IT GIVES MR. GAGNON PREFERENTIAL TAX BENEFIT FOR AGRICULTURAL USE, BUT IT IS A TEMPORARY ARRANGEMENT THAT HE CAN END AT ANY TIME AS WE JUST SAW WITH THE LAND THAT HE TOOK OUT OF 61A. SO, UM IMPORTANTLY THAT THAT DOESN'T THAT SUGGESTION TO PUT SOME LAND BACK INTO 61 DOESN'T SATISFY MR. MOORE'S RECOMMENDATION. WHICH WAS TO SECURE A CONSERVATION RESTRICTION NOT ONLY ON THE SOLAR ARRAY PROPERTY BUT ALSO ON THE BALANCE OF MR. GAGNON'S ABUTTING UNDEVELOPED PARCELS. AS MR. MOORE SUGGESTED THE CONSERVATION RESTRICTION WOULD BE WRITTEN TO ALLOW FOR THE EXISTING CELL TOWER USAGE AND THE PROPOSED SOLAR ARRAY. THIS CONSERVATION RESTRICTION OR CR IS A LEGALLY BINDING DOCUMENT THAT ENSURES THE LAND REMAINS OPEN SPACE FOREVER. THIS WOULD ALLOW FUTURE GENERATIONS TO KNOW CERTAINTY THAT FURTHER DEVELOPMENT ON AYER HILL WOULD NOT BE ALLOWED. I OPPOSE THIS PROJECT, BUT IF COUNCIL APPROVES IT I URGE THEM TO DO SO WITH THE CONDITION THAT A CONSERVATION RESTRICTION IS SECURED ON THE ENTIRE I DON'T KNOW WHAT IT IS NOW 126 ACRES, 102 ACRES WHATEVER IT IS, IN MY VIEW THAT POINT IS NOT NEGOTIABLE AND IF THE PROJECT IS REJECTED I HOPE THAT MR. GAGNON WILL REFLECT ON THIS PROCESS AND REALIZE WHAT A FORTUNATE MAN HE IS TO OWN HAVERHILL HIGHEST HILL. I THEN HOPE HE CHOOSES TO PUT A CONSERVATION RESTRICTION ON TO HIS LAND, NOT ONLY AS PART OF HIS LEGACY BUT IS SIMPLY THE RIGHT THING TO DO. IN CASE THIS HELPS YOU MAKE ANY DECISIONS, MR. GAGNON I DO HAVE SOMETHING FROM UMASS AMHERST FREQUENTLY ASKED QUESTIONS ABOUT CONSERVATION RESTRICTIONS AND A LOT OF IT HAS TO DO WITH THE ESTATE PLANNING AND HOW IT CAN BE BENEFICIAL FROM A TAX PERSPECTIVE HOW IT CAN REDUCE YOUR TAXES RIGHT NOW. THERE ARE BENEFITS TO THAT, FINANCIAL BENEFITS. THANKS FOR YOUR CONSIDERATION.

PRESIDENT SULLIVAN STATED THANK YOU, CHRISTINE. WOULD ANYONE ELSE LIKE TO SPEAK IN OPPOSITION? ANYONE ELSE? TARA MURPHY VOLZS, 11 INNISFREE DRIVE ADDRESSED THE COUNCIL. SHE STATED THE ONE QUESTION THAT I HAVE IS THAT WE DON'T UNDERSTAND THE ACTUAL EFFICIENCY OR THE IF WE MAXIMIZE THE DESIGN OF THE SOLAR ARRAY. FOR EXAMPLE, THE SOLAR ARRAY IF IT COULD TILT WE MIGHT BE ABLE TO HAVE A SMALLER AREA OF TREES THAT WOULD BE CLEARED AND THAT WOULD BENEFIT THE ENVIRONMENT GREATLY. SO, I THINK THAT IS VERY IMPORTANT TO LOOK AT AND TO UNDERSTAND. IN ADDITION, WHAT WAS MENTIONED ABOUT INVASIVE SPECIES, THERE IS NO PLACE IN AMERICA BASICALLY THAT YOU ARE NOT GOING TO FIND SOME SORT OF ENVIRONMENTAL EVASIVE SPECIES. WE TRY TO MANAGE THAT, THINGS LIKE BITTERSWEET CAN BE MANAGED BY CLIPPING AND SAVING TREES. OU CAN CLIP IT AT THE BASE. WE SHOULD BE LOOKING AT MORE NATIVE TREES, SHRUBS LIKE IN MY OWN PROPERTY I INTRODUCED A NUMBER OF BERRIES EVERY TIME WE CLEAR FOREST WE LOSE HABITAT, WE LOSE THE SUSTENANCE THAT KEEPS OUR BIRDS POLLINATORS ALIVE. WHEN WE CLEAR THE TREES, IT CAUSES OTHER ISSUES. WE LOSE WIND BLOCK, WE LOSE THE ABILITY TO FIGHT THE BRUSH FIRES BECAUSE NOW YOU HAVE AREAS THAT ARE DRYING OUT, THE TREES THAT SURROUND THOSE AREAS THAT ARE DRYING OUT ARE NOW SUSCEPTIBLE TO DAMAGE FROM STORMS AND THE OTHER THINGS THAT HAPPENED WITH THE WATER BEING LOST FROM THE SOIL. I THINK THERE IS LOT MORE TO LOOK AT HERE I THINK THERE'S OPPORTUNITIES TO LOOK AT EVERY SINGLE PROJECT WE HAVE AND TRY TO INTRODUCE NATIVE PLANTS, NATIVE SPECIES. THIS ALSO AFFECTS THE WATER MANAGEMENT IF YOU PUT A LAWN AND ANY PROPERTY AND THEN YOU HAVE TO LOOK AT PEOPLE INSTALLING IRRIGATION SYSTEM AGAIN LOSING HABITAT, AFFECTING THE POLLINATORS HAVING AREAS OF WILD FLOWERS THAT MAKES SENSE TO PRESERVE THEM, WATER RETENTION AND POLLINATORS. I THINK THERE IS A LOT MORE TO LOOK AT HERE. I HAVE LOST A LOT OF FOREST IN MY OWN NEIGHBORHOOD, IT'S VERY HEARTBREAKING. THERE WAS A PERMIT IN PLACE IN THE AREA FROM BACK IN THE 80'S TO CLEAR TREES, MERCURY TERRACE LOOKS LIKE A BOMB WENT OFF. I HAVE TO



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LOOK AT THAT EVERY SINGLE DAY. IT'S ABSOLUTELY HORRIFYING AND ITS CREATED A LOT OF NOISE. THERE'S LIGHT POLLUTION, PEOPLE HAVE LOST THEIR PRIVACY. THEY HAVE HEADLIGHTS SHINING INTO THEIR WINDOWS THAT THEY DIDN'T HAVE BEFORE.

PRESIDENT SULLIVAN STATED WE ARE TALKING ABOUT THIS PROJECT TONIGHT.

TARA MURPHY VOLZS STATED I AM TRYING TO EXPLAIN WHAT DEFORESTATION DOES AND I DON'T THINK ITS CLEAR.

PRESIDENT SULLIVAN STATED UNDERSTOOD.

TARA MURPHY VOLZS STATED I DON'T THINK IT IS CLEAR YET HOW THE IMPACT IS AND HOW WE CAN MAXIMIZE THE AMOUNT REDUCED THE NUMBER OF TREES THAT ARE CLEARED MAXIMIZE THE SOLAR ARRAY IF THIS IS SOMETHING WE GO FORWARD WITH.

RICHARD SALACH, 117 CORLISS HILL ROAD ADDRESSED THE COUNCIL. HE STATED BASICALLY ITS SOMEWHAT OF AN EMOTIONAL RESPONSE TO THIS. AS MANY OF YOU, COUNCILORS KNOW THROUGH THIS YEAR OR SO DEDICATED ALMOST BETWEEN ALL OF MY WIFE'S LAND AND OUR OWN PROPERTY NEARLY 44 ACRES IN A CONSERVATION RESTRICTION. AT THAT POINT 20 OF THOSE ACRES IS WOODED AND ONE OF THE HYDROLOGY REPORTS BASICALLY SHOWED THAT WOODED AREA CONTRIBUTED A SUBSTANTIAL FILTRATION FOR ALL OF THE WATER THAT CORLISS HILL AND SURROUNDING AREAS PLAYS NEARLY 63% OF THE WATER FOR THE WATERSHED IN HAVERHILL. REDUCING THE FOOTPRINT OF TREES ON THAT HILL WOULD ALSO CAUSE SERIOUS CASES OF EROSION. AND I DON'T KNOW LOOKED AT IT AS A PARTICULAR POINT. ANOTHER ISSUE IS THAT BASICALLY THAT ENTIRE AREA AGAIN IS A BEAUTIFUL SPOT IN HAVERHILL JUST TAKING THAT AND DESTROYING THAT FOR THIS KIND OF REASON SEEMS INCONSEQUENTIAL BECAUSE IF YOU ARE TAKING THAT FOR EXAMPLE, THAT THE CITY HAS RECEIVED A GRANT TO PLANT TREES AND YOU ARE GOING TO TURN AROUND AND DESTROY 25 ACRES OF TREES SEEM KIND OF COUNTERPRODUCTIVE. SECONDLY, THEY'RE SAYING ABOUT 20 YEARS RECLAMATION WELL IT WILL TAKE APPROXIMATELY 20 YEARS TO ACTUALLY TURN AROUND AND BECOME PRODUCTIVE PRODUCER OF OXYGEN. CARBON DIOXIDE IS I BELIEVE IS PART OF THE CONCERN IS POLLUTION BUT IF YOU DON'T HAVE CARBON DIOXIDE YOU DON'T HAVE OXYGEN BECAUSE THAT IS WHAT TREES DO. ELON MUSK TURNED AROUND AND SAID HE WOULD GIVE EVERYBODY A 100 MILLION DOLLAR IF THEY COULD PRODUCE A PRODUCT THAT WOULD SUBSTANTIALLY DURABLY, I AM TRYING TO REMEMBER WHAT HE SAID. DURABLY AND SUSTAINABLY REMOVE CARBON DIOXIDE FROM THE ATMOSPHERE AND SOMEBODY TURNED AROUND AND SAYS HE ALREADY HAVE THAT ITS CALLED A TREE. BASICALLY THE THING IS THE GROW BY THEMSELVES, THEY REPRODUCE BY THEMSELVES. THEY CONTINUE TO PRODUCE BENEFICIAL RESULTS AND JUST BASICALLY DESTROYING THAT PERCENTAGE. AGAIN, AS I SAID IT SEEMS COUNTERPRODUCTIVE TO BE ABLE TO GET A GRANT TO PLANT TREES AND AT THE SAME TIME DESTROY 25 ACRES. AGAIN, IT TAKES 20 YEARS TO GET TO THE POINT OF PHYSICALLY BEING MATURE ENOUGH TO PRODUCE AN EFFECT ON THE OXYGEN LEVELS. THANK YOU.

PRESIDENT SULLIVAN STATED WE WILL ALLOW ONE MORE. IF ONE MORE PERSON WANTS TO SPEAK IN OPPOSITION.

DAVID DEVANEY, 511 EAST BROADWAY ADDRESSED THE COUNCIL. HE STATED ITS MORE OR LESS OF AN OPPOSITION THAN A QUESTION I LOOKED AT THE DOCUMENTS ABOUT THE FINANCES AND I SEE THAT IT IS STRAIGHT LINE 20 YEAR DEPRECIATION, 2.5% INFLATION INCLUDED. NOW MY, I DON'T HAVE A GOOD UNDERSTANDING OF THE TAX SITUATION, MY UNDERSTANDING IS THE PILOT PROGRAM IS TO REPLACE TAXES TO GIVE SOME BENEFIT TO THE CITY IN LIEU OF TAXES. THE IDEA IS THAT THE TAXES WOULD BE LEVIED ON THE VALUE OF THE ELECTRICITY BEING PRODUCED OTHERWISE. THE TOWN WOULD GET THE BENEFIT OF TAXING THAT ELECTRICITY THE THING ABOUT 2.5% INFLATION IS WE ARE NOT BUILDING AI DATA CENTERS LIKE MAD. THE PRICE OF ELECTRICITY IS GOING NOWHERE BUT UP AND THE TOWN IS GOING TO TAKE A FLAT DEPRECIATION OF 2.5%. HAS THE COUNCIL REALLY THOUGHT ABOUT WHAT KIND OF DEAL THEY'RE GETTING HERE. THAT'S MY QUESTION.

PRESIDENT SULLIVAN STATED THE ANSWER IS WE DON'T KNOW WE'RE GETTING PAID \$114,000 A YEAR AND 2.2 MILLION OVER 10 YEARS WHICH IS THE PAYMENT IN LIEU OF TAXES AS PROPOSED BY FORMULA. THAT IS WHAT WE KNOW.

DAVID DEVANEY STATED RIGHT BUT I AM SAYING THAT THE FORMULA THAT WAS USED DOESN'T TAKE INTO ACCOUNT THE CURRENT ECONOMIC SITUATION, NAMELY THAT THE PRICE OF ELECTRICITY IS GOING TO GO WAY UP AND THE TOWN IS NOT GOING TO REALIZE THE VALUE OF THAT BECAUSE THEY SIGNED THIS LOCKED IN FLAT RATE DEAL. THAT'S MY POINT.

PRESIDENT SULLIVAN STATED THANK YOU, SIR. ATTORNEY HARB WOULD YOU LIKE TO COME UP AND PERHAPS ADDRESS SOME OF THOSE CONCERNS THAT HAVE BEEN RAISED.

ATTORNEY ROBERT HARB STATED I WILL DO MY BEST, MR. PRESIDENT. IN REGARDS TO CHRISTINE'S COMMENTS I THINK IT WOULD BE UNREASONABLE AND OVERREACHING TO FORCE THE APPLICANT TO PUT A RESTRICTION ON 200, 120 SOMETHING ACRES BUT FOR THIS 25 ACRES SINCE IT IS UNDER A LEASE THE ONLY USE IT CAN BE IS THAT CELL TOWER AND THE SOLAR ARRAY. MR. MOORE HAD SAID WHY DON'T WE HAVE A RESTRICTION, BUT WE'LL ALLOW THOSE THINGS. I WOULD LIKE YOU TO FOCUS ON THIS 25 ACRES WE ARE ACTUALLY DOING THAT FOR 20 YEARS WITH THE LEASE WHICH RESTRICTS THE USE, EXCEPT FOR THE SOLAR ARRAY AND THE CELL TOWER. THE NEXT LADY MENTIONED ABOUT FIRES THE PROGRAM, THE SETUP THE PLAN FOR DEVELOPMENT AND THE SOLAR ARRAY WAS APPROVED AND GONE THROUGH THE FIRE DEPARTMENT. I'VE BEEN ADVISED BY MR.



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CHRIS ANDERSON THAT EVEN AS THE PROJECT CONTINUES THERE'LL BE FURTHER DISCUSSIONS WITH THE FIRE DEPARTMENT IN THE EVENT IF THEY WANT ANYTHING ELSE OUT THERE THEY WILL COMPLY AS I SAID WITH ALL CITY REQUIREMENTS AND WHATEVER THE CITY DEPARTMENTS REQUIRE. AND LASTLY FOR THE GENTLEMAN THAT TALKED ABOUT THE FORMULA. I WAS TOLD BY BETH GREENBLATT THAT HER FORMULA THAT SHE USED TO DO THIS HAS BEEN APPROVED BY THE GOVERNMENT. IT HAS BEEN VETTED AND I DON'T KNOW ANYTHING ABOUT DEPRECIATION EITHER. I KNOW THAT THE APPLICANT PAID FOR THAT REVIEW FOR YOUR, AND SHE SAYS ITS ONE THAT SHE HAS USED BEFORE, AND IT'S BEEN APPROVED BY THE GOVERNMENT. SO, I HAVE TO STAND BY HER PEER REVIEW. AND I THINK THAT'S IT. WE ASK YOU TO APPROVE THE PLAN AND THE PROPOSAL, WE MEET ALL THE DEPARTMENT HEADS, WE MEET THE CODE, AND WE MEET THE STATUE AND WE'RE TRYING TO ADDRESS THE CONCERNS OF THE NEIGHBORS, SO WE ARE HOPING WE CAN GET YOUR SUPPORT FOR THIS. THANK YOU.

PRESIDENT SULLIVAN STATED THANK YOU ATTORNEY HARB AND WITH THAT, WE WILL CLOSE THE HEARING AND COUNCIL FOR THE PURPOSE OF VOTING, WE NEED TO...

COUNCILOR MCGONAGLE STATED EXCUSE ME, MR. PRESIDENT ANY REBUTTAL FROM THE OTHER SIDE?

PRESIDENT SULLIVAN ASKED CHRISTINE DID YOU WANT TO REBUT?

CHRISTINE KWITCHOFF STATED JUST A QUICK CLARIFYING GOING BACK TO THE CONSERVATION RESTRICTION ON THE ENTIRE LAND. I THINK THERE MIGHT BE A MISUNDERSTANDING OF WHAT ROB MOORE WAS REQUESTING. HIS RECOMMENDATION WAS THE CR ON THE ENTIRE PROPERTY. EVERYTHING THAT MR. GAGNON OWNS. NOT JUST THE SOLAR ARRAY AREA AND NOT JUST THE CELL TOWER. THANK YOU.

ROBERT CHICOSKI, 145 NEWTON ROAD ADDRESSED THE COUNCIL. I HAVE BEEN A CPA FOR 50 YEARS AND IT DIDN'T DAWN ON ME UNTIL JUST NOW, 2 MILLION DOLLARS OR WHATEVER OVER 20 YEARS WITH INFLATION, THE COST OF LIVING IT'S PROBABLY A \$100,000 NOT 2 MILLION. THAT'S CHICKEN FEED.

PRESIDENT SULLIVAN AND WITH THAT WE *WILL NOW CLOSE THE HEARING*. COULD WE HAVE A MOTION AND A SECOND.

MOTION BY COUNCILOR MCGONAGLE, SECOND BY COUNCILOR BASILIERE

PRESIDENT SULLIVAN STATED THE MOTION AND SECOND AND THAT WOULD BE TO APPROVE THE PROJECT. NOW WE ARE GOING TO HAVE A COUNCIL DISCUSSION.

COUNCILOR MCGONAGLE STATED HE RESPECTS DIFFERING OPINIONS MINE IS GOING TO BE DIFFERENT THAN A LOT OF THE ONES WE HEARD TONIGHT. I THANK EVERYONE FOR COMING. CHRISTINE HAS DONE A LOT OF GOOD WORK FOR THE CITY. SHE HELPED US PUT A LOT OF LAND IN GOOD SPOTS AND THE FOLKS IN THE BACK WERE VERY GENEROUS WITH THEIR LAND. THIS GENTLEMAN OWNS HIS LAND AND CHRISTINE POINTED SOMETHING OUT THAT HE IS A VERY LUCKY MAN TO HAVE THAT LAND. I AGREE BUT IT'S HIS LAND AND HE HAS A PLAN. AS PART OF THIS COUNCIL I CANNOT SIT HERE AFTER GOING DOWN AND LOOKING AT WHY WE WOULD ALLOW A SPECIAL PERMIT AND CHECKING OFF ALL THESE BOXES AND SAY NO DEPARTMENT HEAD, HIGHEST AND BEST USE, THE TAX MONEY, 2 MILLION DOLLARS ISN'T A LOT OF MONEY, IT IS TO A CITY OR TOWN. HOW MUCH DO YOU THINK THEIR TAXES ARE OVER 20 YEARS IF WE LEAVE IT ALONE. SO, IT'S BETTER IN MY OPINION TO DO THIS. I LOOK AT TRYING TO HAVE A RESTRICTION, FOREVER. I THINK THAT IS A LITTLE HEAVY HANDED. CHAPTER 43A I THINK MR. HARB MENTIONED, ABOUT WHAT WE SHOULDN'T DO TO RESTRICT THE SOLAR ARRAY OR A SOLAR PROJECT TO GO IN. IT'S NEEDED, IT'S WARRANTED, IT'S LOW IMPACT AND THERE IS NO SAFETY CONCERNS. AGAIN, KNOWING WHAT WE KNOW NOW. THIS IS 26 ACRES TOTAL OR 25 WHATEVER THE REAL NUMBER IS OUT OF 120 SOMETHING. I JUST THINK FOR US TO TELL A HOMEOWNER, LANDOWNER, BUSINESS OWNER WHAT THEY CAN DO WITH THEIR PROPERTY OR A PIECE OF IT, A PORTION OF IT IS NOT WHAT I AM GOING TO SUPPORT. AGAIN, I THANK THE FAMILIES THAT ARE KIND ENOUGH TO DONATE THEIR LAND AND RESTRICT IT THAT'S VERY KIND OF YOU, BUT I DO UNDERSTAND TO THAT PEOPLE THINK DIFFERENTLY, THEIR SITUATIONS ARE DIFFERENT AND I INTEND TO SUPPORT THIS. THOSE ARE MY TWO CENTS.

COUNCILOR LEWANDOWSKI STATED SHE WILL START BY THANKING THE APPLICANT FOR PROVIDING ALL THIS INFORMATION, THIS WAS A LOT OF STUFF THAT YOU NEEDED TO BRING TO OUR ATTENTION, AND I APPRECIATE THE WORK THAT WENT INTO THAT. I DO HAVE A COUPLE OF QUESTIONS. I SPOKE WITH CHIEF O'BRIEN, AND I UNDERSTAND ATTORNEY HARB YOU HAD MENTIONED THAT THE FIRE DEPARTMENT WAS ONE OF THE DEPARTMENTS THAT APPROVED, THIS PARTICULAR PROPOSAL. I LOOKED INTO THEIR LINE ITEM, KIND OF THEIR PUNCH LIST AND ONE OF THE THINGS IT SAYS IS FIRE DEPARTMENT ACCESS, TURNAROUNDS, ROAD WITH GRADE OF ROAD. YOU HAD SUGGESTED THAT YOU WERE WILLING TO DO WHATEVER WAS NECESSARY AND THAT THE FIRE DEPARTMENT WOULD ASK FOR TO ACCESS THAT PARTICULAR PROPERTY. I ACTUALLY WALKED THAT PROPERTY WITH A COUPLE OF MY COLLEAGUES AND AS THE LETTER THAT MS. KWITCHOFF REFERENCED FROM ROB MOORE STATES THAT THE ROAD THAT IS THE ACCESS ROAD, IT SAYS ACCESS TO THESE PARCELS VIA A FARM ROAD THROUGH THE OWNER'S SEPARATE RESIDENTIAL LOT AND ANOTHER LOT OWNED BY A FAMILY MEMBER. THAT IS ACCURATE WE WALKED IT, THROUGH THE POISON IVY IT'S A TIGHT WALK. THE ROAD ALSO SERVES AS A DRIVEWAY TO THE TWO HOMES, EITHER A SEPARATE TRAIL ACCESS NEAR THE VERNAL POOL WOULD BE REQUIRED OR ACCESS FROM THE RESIDENTIAL NEIGHBORHOOD TO THE EAST



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WOULD BE NEEDED. BOTH HAVE THEIR COMPLICATIONS, PERHAPS THE CITY COUNCIL COULD NEGOTIATE A PUBLIC VISA AT THE TOP OF THE HILL ADJACENT TO THE CELL TOWER, HOWEVER ACCESS WOULD REMAIN DIFFICULT. WHEN I SPOKE TO CHIEF O'BRIEN HE INDICATED THAT ACCESS WOULD REMAIN DIFFICULT UNLESS IT WAS SIGNIFICANT CHANGES TO THAT AREA TO ALLOW THEM ACCESS. HE ALSO INDICATED THAT THE PROTOCOL IN ORDER TO DEAL WITH ANY COMBUSTIBLE SITUATIONS OR FIRES OR SO FORTH IS NO CHEMICAL SUPPRESSION WHICH IS GOOD BECAUSE THAT IS ONE THING THE NEIGHBORS ARE CONCERNED WITH. THEY WOULD DE-ENERGIZE THE PARCELS AND THEN WATER THEM DOWN. MY FIRST QUESTION IS IN REGARDS TO THE ACCESS AND HOW THAT'S GOING TO BE HANDLED BASED ON WHAT I JUST REFERENCED. AND THE SECOND THING IS HE INDICATED TO ME THAT THE ISSUE IS GOING TO BE GOOD HOUSEKEEPING, SPECIFICALLY MAINTAINING THE GROWTH AND BRUSH AROUND THESE PARTICULAR AREAS. IT INDICATES IN THE SPECIAL REGULATIONS THAT IS SOMETHING THE OWNER IS GOING TO HAVE TO DO AN ANNUAL REPORT INCLUDING HOW HE PLANS ON CONTROLLING THAT VEGETATION AS WELL AS ADEQUACY OF ROAD ACCESS. THAT IS 7.89 MONITORING, MAINTENANCE AND REPORTING. COULD YOU JUST ADDRESS THOSE TWO THINGS.

ATTORNEY HARB STATED HE WOULD LIKE TO SAY THAT HE CAN BUT HE CAN'T BECAUSE I AM GOING TO ASK CHRIS ANDERSON BECAUSE HE IS THE GENTLEMAN THAT WAS AT THE DEPARTMENTAL REVIEWS. I HOPE HE IS STILL ON. I AM GOING TO ASK HIM TO ADDRESS THE ACCESS IN THE FIRE DEPARTMENT BECAUSE HE GAVE ME MORE COMMENTS YESTERDAY ABOUT THAT.

CHRIS ANDERSON STATED HE DID HEAR CONCERNS RELATIVE, TO ACCESS DURING THE INITIAL SITE DEVELOPMENT REVIEW PROCESS. WE ARE PROPOSING TO RELOCATE AN EXISTING CAR ROAD TO CREATE EFFECTIVELY A SWITCHBACK IN ORDER FOR EMERGENCY VEHICLES AND OTHER ACCESS MAINTENANCE VEHICLES TO GAIN ACCESS TO PROPERTY EASILY. THE SITE ALREADY HAS AN EXISTING ACCESS ROAD THAT RUNS AROUND THE PERIMETER OF THE SITE AND THAT WOULD BE MAINTAINED AND KIND OF BOLSTERED UP A LITTLE BIT. RELATIVE TO THE OPERATION AND MAINTENANCE OF THE FIELDS VEGETATION THIS IS A CONCERN THAT WE HEAR FROM MANY MUNICIPALITIES WHEN IT COMES TO THESE KIND OF DEVELOPMENTS. AS PART OF THE PROPOSED SITE PLANS THAT WE PROVIDED WE BROUGHT A SEEDING OPERATION AND MAINTENANCE PLAN WHICH OUTLINES THE SEED MIXTURES THAT ARE INTENDED TO BE USED ON THE SITE AS WELL AS THE CUTTING AND MAINTENANCE SCHEDULE FOR THAT AND EFFECTIVELY IN THESE KINDS OF DEVELOPMENTS THE GRASS IS CUT ABOUT EVERY MONTH OR SO DURING THE GROWING SEASON TO MAINTAIN A SAFE HEIGHT FOR IT AND TO ENSURE THAT THE PROPERTY IS MAINTAINED ON A REGULAR BASIS. AS IT WAS RELAYED FROM THE FIRE DEPARTMENT DE-ENERGIZATION IS THE PRIMARY ASPECT OF CONTROLLING THE FIRE AND THEN ITS MITIGATION AND CONTROL THE FIRE DURING THE EVENTS IF IT DOES OCCUR. WE HAVE INCORPORATED THAT MAINTENANCE PLAN FOR THE SEEDING OPERATIONS AS WELL AS INCORPORATED A COUPLE OF EXTRA ACCESS MEANS AROUND THE SITE AS WELL. COUNCILOR LEWANDOWSKI ASKED WHO WOULD BE RESPONSIBLE FROM THE CITY FOR CHECKING TO MAKE SURE THAT MAINTENANCE IS BEING DONE?

CHRIS ANDERSON STATED THAT TYPICALLY IT DONE BY THE FIRE DEPARTMENT, BUT IF THE COUNCIL HAS ANY SPECIFIC REQUIREMENTS WE CAN PROVIDE THAT TO THE PLANNING DEPARTMENT AND CONSERVATION DEPARTMENT AS PART OF THE OPERATION AND MAINTENANCE PLANS FOR THE STORM WATER MANAGEMENT SYSTEM AS WELL.

COUNCILOR LEWANDOWSKI STATED I AM JUST CONCERNED WITH THAT PIECE BECAUSE PRIMARILY BECAUSE WE SAW INCREDIBLE INCIDENTS OF WILDFIRES AND SO FORTH, WHICH WE HAD THE FIRE DEPARTMENT HERE TO TALK TO US ABOUT AND HOW THEY WERE OVERBURDENED, NOT OVERBURDENED BUT BURDENED WITH THAT AND THAT IS GOING TO CONTINUE TO HAPPEN AS WE MOVE THROUGH THE YEARS AND THAT IS A PARAMOUNT CONCERN FOR ME BECAUSE THERE ARE RESIDENCES THAT ARE GOING TO BE VERY CLOSE TO THIS AND THAT WOULD BE CATASTROPHIC TO SAY THE LEAST. THE SECOND QUESTION I HAVE IS PROBABLY FOR MR. ANDERSON, THE ENGINEER DO YOU KNOW WHETHER THESE SOLAR PANELS UTILIZE THE USE OF PFAS CHEMICALS?

CHRISTOPHER ANDERSON STATED I AM NOT 100% SURE ON THAT. IT'S A BIT OUT OF MY SCOPE BUT WE COULD TAKE A LOOK INTO THAT. I HONESTLY DON'T HAVE AN ANSWER FOR YOU AT THIS MOMENT IN TIME.

COUNCILOR LEWANDOWSKI STATED I WOULD LIKE TO KNOW THAT BECAUSE I KNOW THE SOLAR INDUSTRY IS RELIANT, HEAVILY RELIANT ON PFAS CHEMICALS AS IS BATTERIES BUT PARTICULARLY SOLAR BECAUSE THEY RESIST SUNLIGHT, TEMPERATURE, WATER VAPOR AND THEY ARE LONGER LASTING BUT AS WE ALSO KNOW, AND I KNOW ATTORNEY HARB KNOWS THIS AS WELL PFAS CHEMICALS ARE VERY DETRIMENTAL TO THE PUBLIC HEALTH AND SAFETY, IF IN FACT THEY LEACH INTO THE SOIL OR WATER. THESE PEOPLE UP IN THIS AREA ARE ON WELL WATER. WHILE I COMPLETELY APPRECIATE THE EXTENSIVE DRAINAGE PLAN THAT IS IN PLACE HERE, IT LOOKS LIKE IT IS SOUND IT IS STILL OF CONCERN TO ME, WHAT THE NATURE OF THE CHEMICALS THAT ARE GOING TO BE USED BECAUSE EVEN IF THOSE DRAINAGE SYSTEMS WORK AND HOLD UP IF THERE'S ANY DEGRADATION TO THOSE DRAINAGE SYSTEMS AND THERE IS ANY LEAKAGE OF THOSE PARTICULAR CHEMICALS OF WHAT WE ARE TALKING ABOUT PFAS CHEMICALS INTO THE SOIL OR WATER IT WILL GO INTO THESE PEOPLE'S WELL WATER POSSIBLY AND I DON'T WANT THAT TO BE SOMETHING THAT THEY'RE WORRIED ABOUT. SO, TO THE EXTENT THAT WE CAN ALLAY ANY OF THOSE CONCERNS FOR THEM AND OR PUT IN SOME TYPE OF SIMILAR I DON'T KNOW IF NEW HAMPSHIRE IS DOING THE SAME THING BUT MASSACHUSETTS



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HAS PASSED THIS BILL OR THEY HAVE THIS BILL PENDING BEFORE WAYS AND MEANS REGARDING PFAS AND MONITORING THEM. ONE OF THE THINGS THAT THEY SUGGEST IS A REGULAR TESTING OF PEOPLE'S WATER SYSTEMS WHO LIVE IN THAT AREA. THERE ARE GRANTS AVAILABLE FOR THAT OR THERE WILL BE GRANTS AVAILABLE FOR THAT IS MY UNDERSTANDING IF THAT LEGISLATION PASSES, BUT I THINK IF IN FACT WE ARE DETERMINING THAT THOSE CHEMICALS ARE GOING TO BE USED OR ARE WHAT MAKES UP THE PARTICULAR PANELS I THINK IT WOULD BE BENEFICIAL TO COME UP WITH SOME SYSTEM TO MAKE SURE THESE RESIDENTS FEEL SAFE AND NONE OF THAT IS GOING TO LEACH INTO THEIR SUPPLY.

ATTORNEY HARB STATED I WILL SEE IF I CAN FIND AN ANSWER FOR THAT BECAUSE I DON'T KNOW OFF THE TOP OF MY HEAD EITHER. BUT FOR THE RECORD I DID VOTE FOR THAT BILL IN NEW HAMPSHIRE. THANK YOU FOR MENTIONING THAT.

COUNCILOR BASILIERE STATED HE HAD A FEW COMMENTS AND QUESTIONS. THE FACT OF THE MATTER IS THAT IN 2017, MY SIGNATURE APPEARS ON MORE CONSERVATION RESTRICTIONS RIVALED ONLY BY COMMISSIONER HARMONY WILSON THAN ANYBODY'S PROBABLY IN 50 YEARS. I LOVE A CONSERVATION RESTRICTION LIKE JESUS CHRIST LOVES THE CHURCH. HOWEVER, TO THE POINT OF MY ESTEEMED COLLEAGUE I DON'T KNOW AND IN FACT I AM RELATIVELY SURE THAT WE COULD NOT MAKE THAT PART OF THE SPECIAL PERMITTING PROCESS. I DIDN'T READ IT ANYWHERE IN MY LITERATURE ABOUT THE SPECIAL PERMIT THAT I GOT FROM THE CITY ATTORNEY. I AM NOT SURE IF WE ARE AUTHORIZED TO DO SO, AND I THINK EVEN IF WE WERE IN THIS CASE IT MAY BE A BIT OF AN OVERREACH. MY SECOND POINT IS THE 2.2 MILLION DOLLARS A YEAR RESPECTING WHAT THE GENTLEMAN SAID ABOUT HIS PROFESSIONAL OPINION ABOUT DEPRECIATION, 2.2 MILLION A YEAR LET ME POINT OUT.

VICE PRESIDENT JORDAN STATED OVER 20 YEARS.

COUNCILOR BASILIERE STATED THANK YOU OVER 20 YEARS BUT 2.2 MILLION DOLLARS IN THE AGGREGATE IN TODAY'S MONEY WOULD REPRESENT ROUGHLY FOUR PUMPERS, FOUR FIRE ENGINES AT TODAY'S COST JUST TO FRAME IT SOME. I NEED SOME CLARIFICATION, MR. HARB THAT WE ARE MOVING SOME OF THIS LAND OUT OF 61A WHICH WILL THEN RESULT IN INCREASED TAX REVENUE FOR THE CITY. IS THAT CORRECT?

ATTORNEY HARB STATED YES, THE LAND WOULD BE TAXED AT THE REGULAR TAX RATE NOT THE 61A RATE BUT 25-26 ACRES.

COUNCILOR BASILIERE STATED RESULTING, IN A NET GAIN FOR THE CITY.

ATTORNEY HARB STATED VERSES WHAT THEY WERE PAYING AT THE 61A RATE.

COUNCILOR BASILIERE STATED I ABSOLUTELY LOVE THE IDEA OF THE FOREST MANAGEMENT PLAN ON THE OTHER PARCELS IN ADDITION OF THE BEE COLONIES TO THIS. MY EXPERIENCE ON PERMITTING AND THEN INSPECTING SOME OF THE SOLAR AREAS THAT CAME BEFORE MY TIME IS THAT THE POLLINATORS AT THESE AREAS ARE ABSOLUTELY THRIVING WITH THE NATURAL VEGETATION. THAT'S JUST ANECDOTAL BUT THE ADDITION OF HIVES CAN ONLY HELP THAT AND GOD KNOWS WE NEED MORE POLLINATORS. MY FINAL CONCERN AND I WOULD BE LOOKING FOR DIRECTION FROM THE PRESIDENT WOULD REGARDING THE DOVER AMENDMENT, MY CONCERN THERE IS I OR WE DON'T PUT THE CITY IN A POSITION WHERE WE VIOLATE THE DOVER AMENDMENT AND THEN OPEN THE CITY TO AN EXPENSIVE LAWSUIT, LOSE THE 2.2 MILLION OVER 20 YEARS, LOSE THE INCREASED TAX REVENUE, AND THEN PUT THE CITY IN A POSITION OF EXTENSIVE LITIGATION. I AM LOOKING FOR DIRECTION, FOR THAT FROM THE COUNCIL IN SPECIFIC TO THE DOVER AMENDMENT. I AM NOT A SUFFOLK EDUCATED ATTORNEY BUT I KNOW TWO PEOPLE WHO ARE. WITH THAT MR. PRESIDENT, I HAVEN'T MADE UP MY MIND, BUT I WOULD LIKE SOME DIRECTION ON THE DOVER AMENDMENT FROM THE CHAIR, PLEASE.

PRESIDENT SULLIVAN STATED THANK YOU, COUNCILOR BASILIERE WE ACTUALLY HAVE WITH US ONLINE OUR CITY SOLICITOR JAY TALERMAN. WOULD YOU EXPLAIN THE STATE LAW AND THE DOVER AMENDMENT BECAUSE I KNOW THAT YOU ARE SPECIALIZED IN THIS AREA.

ATTORNEY JAY TALERMAN ADDRESSED THE COUNCIL. HE STATED THE DOVER AMENDMENT IS A POWERFUL TOOL FOR CERTAIN LAND USE DEVELOPMENTS. IT PROVIDES BROAD EXEMPTIONS, NOT INCOMPLETE AND ALLOWS CONTINUED REASONABLE REGULATION, INCLUDING SOME OF THE AREAS OF REGULATION THAT HAVE BEEN DISCUSSED HERE TONIGHT BY SOME OF THE COUNCILORS. IT DOES PROVIDE BROAD EXEMPTIONS THAT REALLY PREVENT EXCEPT IN EXTREMELY SIGNIFICANT AREAS AFFECTING PUBLIC HEALTH AND SAFETY THE OUT AND OUT DENIAL OR FRUSTRATION OF OVERPROTECTED USES, WHETHER THEY BE AGRICULTURAL, EDUCATIONAL, RELIGIOUS, DAYCARE, SOLAR AND NOW ACCESSORY DWELLING UNITS AND THE LIKE. IT IS A FORMIDABLE, OBSTACLE IN SOME RESPECTS TO MUNICIPAL PERMITTING BUT IT IS ALSO POTENTIALLY VIEWED AS AN OPPORTUNITY TO WORK IN AND AROUND ZONING WHERE YOU HAVE TO GIVE A LITTLE TO ENSURE THE VIABILITY OF POTENTIAL PROJECTS. IT HAS BEEN UTILIZED AND THE COURTS HAVE UPHELD IT IN THE INSTANCE OF SOLAR ALMOST UNIVERSALLY IN FAVOR OF SOLAR. NOW THERE ARE SOME RECENT CASES UNDER WHICH THERE IS SIGNIFICANT REGULATION OF SOLAR USES ALLOWED BUT THERE ARE LIMITS TO THAT UNDER SOLAR DEVELOPMENT. BUT WE DO HAVE THE RIGHT TO REQUIRE A SPECIAL PERMIT, WE DO HAVE A RIGHT TO IMPOSE PUBLIC SAFETY RELATED CONDITIONS, AND WE ALSO HAVE THE RIGHT OBVIOUSLY TO THE PILOT TAXATION AND THE LIKE.



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COUNCILOR BASILIERE ASKED IF I MAY ASK A FOLLOW-UP QUESTION IS IT YOUR OPINION THAT IF THE COUNCIL WERE TO DENY THIS PERMIT TONIGHT THAT WE COULD BE IN VIOLATION OF THE DOVER AMENDMENT.

ATTORNEY JAY TALERMAN STATED MY VIEW THAT IT WOULDN'T BE SO MUCH A VIOLATION PER SE IS THAT IF YOU DENY THE PROJECT, YOU WOULD BE VULNERABLE TO BEING OVERTURNED AND THE COURT ORDERING THAT THE COUNCIL ISSUE A SPECIAL PERMIT OR THE COURT REQUIRING A SPECIAL PERMIT THAT IT MAY DESIGN. I THINK A COMMENT THAT YOU MENTIONED EARLIER IS FAIRLY IMPORTANT, AND THAT IS THERE APPEARS TO BE A NEGOTIATION NOW OF SOME BENEFICIAL POTENTIAL CONDITIONS AND OFTEN WHEN WE PUT UP BARRIERS UNDER THE GUISE OF REASONABLE REGULATION, WE MAY LOSE THAT OPPORTUNITY. SO, THOSE ARE THE RISKS WITH DECISIONS THAT CAN BE SOMEWHAT DRACONIAN UNDER THE DOVER AMENDMENT OR FOR DOVER AMENDMENT USES, NOT SO MUCH A VIOLATION OF LAW, BUT VULNERABLE TO A LESS ADVANTAGEOUS PERMIT.

COUNCILOR BASILIERE STATED THANK YOU VERY MUCH. THAT HELPS ME A GREAT DEAL SIR.

VICE PRESIDENT JORDAN STATED HE HAS A FOLLOW UP QUESTION FOR ATTORNEY TALERMAN RELATED TO COUNCILOR BASILIERE'S QUESTION I AM ACTUALLY TYING IT IN TO A COMMENT MADE BY MS. KWITCHOFF SHE REFERENCED ROB MOORE HEAD OF CONSERVATION ASKING, REQUESTING BACK IN HIS JULY LETTER, I BELIEVE WAS REFERENCED. THAT THE PROPERTY THAT'S GOING TO BE PART OF THIS 25 ACRES BE CONSIDERED FOR A CONSERVATION RESTRICTION. I AM NOT AN ATTORNEY, AND I DON'T PLAY ONE ON TV. I AM LOOKING FOR CLARITY AND DIRECTION FROM YOU MY UNDERSTANDING IS WE CAN'T MAKE THAT A REQUIREMENT, OF THE SPECIAL PERMIT BEING GRANTED OR NOT BUT IS IT SOMETHING THAT WE COULD ASK WOULD HE BE AMENDABLE TO IT. IS THAT A REASONABLE THING TO EVEN ASK THAT HE BE AMENDABLE TO IT NOT TO MAKE IT A REQUIREMENT. ATTORNEY TALERMAN STATED LET ME APPROACH THIS FROM A FEW DIFFERENT WAYS. THE COURTS HAVE BEEN RELUCTANT TO VALIDATE A REQUIREMENT THAT SOMEONE RECORD OR RECORD A RESTRICTION AGAINST THEIR PROPERTY IN MASSACHUSETTS. THERE IS CASE LAW AROUND THE COUNTRY UNDER THE REGULATORY TAKEN JURISPRUDENCE AS TO WHY OR WHY NOT THAT MAYBE APPROPRIATE OR INAPPROPRIATE IN CERTAIN CIRCUMSTANCES. HORSE-TRADING IS ALWAYS ALLOWED AND IF PEOPLE ENTER INTO THOSE RESTRICTIONS VOLUNTARILY THEN THOSE ARE CERTAINLY LEGAL. THE OTHER THING I POINT OUT AS WELL IS THAT CONSERVATION RESTRICTION IS VERY PARTICULAR LEGAL TOOL THAT IS ENDORSED UNDER A VERY PARTICULAR STATUTE. THERE ARE A FEW CASES THAT STATE THAT IN LAND USE PERMITTING, IF YOU IMPOSE REQUIREMENTS THAT HAVE THE EFFECT OF A RESTRICTION THAT THOSE RESTRICTIONS HAVE THE FORCE OF LAW IN PERPETUITY. SO IF FOR EXAMPLE, YOUR EVALUATION OF THIS SITE IS SUCH THAT A SUBSTANTIAL AMOUNT OF IT SHOULD REMAIN UNTOUCHED OVER A PERIOD OF YEARS, YOU COULD REQUIRE THAT NO FURTHER DEVELOPMENT HAPPEN ON THIS PARTICULAR PROPERTY BY WAY OF JUST A CONDITION OF YOUR APPROVAL, IT ISN'T A CONSERVATION RESTRICTION IN THE KIND OF CAPITAL C CAPITAL R NATURE OF A CONSERVATION RESTRICTION BUT IT MAY HAVE A SIMILAR EFFECT. SO, IF YOU ARE FEELING AS A COUNCIL IS HEY THIS DEVELOPMENT IS OKAY EXPANDING THIS DEVELOPMENT OR DOING SOMETHING ELSE ON THE PROPERTY WOULD NOT BE OKAY. THEN HAVING THAT KIND OF CONDITION OR SOME KIND OF OTHER CONDITION AS TO THE FUTURE USE OF THE UNDEVELOPED AREAS IS A POSSIBILITY.

VICE PRESIDENT JORDAN STATED I WILL SHARE SOME OF MY THOUGHTS AND I AM STILL LOOKING TO HEAR FROM THE REMAINDER OF MY COLLEAGUES TO WEIGH IN ON THIS TOO. I HAVE MIXED OPINIONS ON THIS. I WILL SAY I ASKED THE QUESTION LAST TIME ATTORNEY HARB OF WHAT WE WOULD BE RECEIVING IN THE WAY OF I'LL CALL IT BACK TAXES, THAT'S NOT THE RIGHT TERM BUT YOU KNOW WHAT I AM SAYING. I THINK YOU GAVE A FIGURE OF \$20,000.00. THE NUMBERS THAT WE ARE HEARING TODAY ARE MUCH BETTER THAN THAT FOR SURE AS FAR AS 2.2 MILLION DOLLARS OVER 20 YEARS POINTS MADE BY A COUPLE OF PEOPLE, THE CPA AND MR. DEVANEY, PRESENT VALUE ETC. RIGHT NOW, WE ARE NOT GETTING ANY OF THAT. SO, CERTAINLY IT WOULD BE INCREASED REVENUE TO US FOR SURE. I ALSO AGREE WITH COMMENTS MADE BY COUNCILOR MCGONAGLE AS FAR AS I HAVE A TOUGH TIME TELLING PEOPLE WHAT THEY CAN AND CAN'T DO WITH THEIR OWN PROPERTY. HOWEVER, THIS IS COMING BEFORE US FOR A SPECIAL PERMIT, SO WE DO HAVE TO WEIGH IN ON IT. I HAVE TREMENDOUS RESPECT FOR THE SALACH'S AND WHAT THEY DID WITH THEIR PROPERTY AND THE CONSERVATION RESTRICTIONS AND WITH GREENBELT BUT I HAVE A TOUGH TIME SAYING YOU HAVE TO DO IT, AND WHAT WE ARE HEARING FROM MR. TALERMAN WE CAN'T EVEN REQUIRE THAT. WITH THAT SAID MS. KWITCHOFF MAKES A GOOD POINT THAT LAND THAT HAS BEEN 61A IS NOW GOING TO COME OUT OF 61A IF WE GRANT THIS AND THE IDEA THAT SOME OTHER LAND MIGHT GO INTO SOMETHING SIMILAR BUT THEN THAT COULD COME BACK OUT OF IT. AGAIN, IF THERE COULD BE SOME SORT OF... I GUESS I NEED HELP WITH THE LEGALESE TOO HERE WITH WHAT MR. TALERMAN IS SAYING HERE NOT MAKING IT A CONDITION NOT THE BIG CAPITAL C, CAPITAL R BUT IF WE WERE TO GET SOME ASSURANCES THAT THE REMAINING LAND WOULD NOT BE GOING INTO 61A ONLY TO COME OUT LATER, WE MIGHT FEEL BETTER ABOUT ALL THAT. I AM STILL GOING TO LISTEN TO WHAT THE REST OF MY COLLEAGUES ARE GOING TO SAY. THOSE ARE SOME OF MY COMMENTS, I GUESS. I GUESS I WOULD SAY THAT BACK TO YOU ATTORNEY HARB WOULD YOUR CLIENT BE AMENDABLE TO SOMETHING THAT COULD MAKE US FEEL MORE CONFIDENT THAT THE OUTCOME THAT THE OTHER LAND IS NOT GOING TO BE PART OF THE 25 ACRES WOULD REMAIN UNDEVELOPED.

PRESIDENT SULLIVAN ASKED ATTORNEY HARB TO COME UP. HE STATED I THINK IT'S IMPORTANT THAT YOU ANSWER THAT.



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ATTORNEY HARB STATED I WOULD LIKE TO GO OUTSIDE AND TALK WITH MY CLIENT ABOUT THAT, BUT I AM AFRAID I AM GOING TO MISS ALL THE GREAT DISCUSSION WHILE I AM GONE.

VICE PRESIDENT JORDAN STATED I AM HAPPY TO LET YOU GO OUT THERE.

ATTORNEY HARB STATED IF YOU TAKE A BREAK, I WOULD BE HAPPY TO GO AND TALK WITH HIM.

PRESIDENT SULLIVAN STATED FIVE MINUTE RECESS. WE WILL COME BACK IN FIVE MINUTES.

PRESIDENT SULLIVAN STATED I AM GOING TO CALL THE MEETING BACK TO ORDER. COUNCILOR LEWANDOWSKI HAS RETURNED AND VICE PRESIDENT JORDAN HAD A QUESTION AND YOU SAID YOU HAD A RESPONSE FOR BOTH COUNCILOR JORDAN AND LEWANDOWSKI.

ATTORNEY HARB STATED I DO. SINCE SHE ASKED THE QUESTION FIRST, I HAVE AN ANSWER FOR COUNCILOR LEWANDOWSKI I HAVE BEEN ADVISED BY THE SOLAR COMPANY THAT THE SOLAR PANELS ARE PFSA FREE.

COUNCILOR LEWANDOWSKI STATED GREAT.

ATTORNEY HARB STATED I ALSO ASKED THEM ABOUT THE MAINTENANCE PLAN TO TRY AND RESOLVE YOUR QUESTION ABOUT THE BRUSH AND THEY ARE WILLING TO PUT IN A 90-DAY BRUSH REPORT ASSESSMENT. THEY'LL MAKE A REPORT EVERY 90 DAYS ON THE CONDITION OF THE PROPERTY. YOU USED THE WORD BRUSH SO I SAID BRUSH. THEY WILL DO A 90-DAY REPORT. THEY WILL BE HAPPY IF YOU PUT THAT AS A CONDITION TO PUT THAT INTO THE MAINTENANCE PLAN AND I AM SURE IF CHRIS IS STILL LISTENING HE JUST HAS TO ADD THAT SOMEPLACE IN THAT LENGTHY PLAN.

PRESIDENT SULLIVAN STATED COUNCILOR LEWANDOWSKI YOU WILL NEED TO ADD THAT AS A CONDITION AT THE APPROPRIATE TIME.

ATTORNEY HARB STATED AS FAR AS THE REST OF THE LAND, I AM SURE MR. JORDAN UNDERSTANDS THAT I HAVE A TRUST HERE AND I HAVE A BUNCH OF BENEFICIARIES. THE ONLY THING I CAN TELL YOU TONIGHT THAT THE TRUSTEE TELLS ME AND I ALSO REFERENCE THIS WITH OUR FORESTRY EXPERT THAT THEY ARE GOING TO SUBMIT APPROXIMATELY 78 ACRES INTO NOT 61A BUT 61 FORESTRY. HE MENTIONED THAT BUT I LOST IT THAT HE'S WORKING ON THAT FORESTRY PLANS, BECAUSE GET INTO THE FORESTRY SECTION OF 61 YOU HAVE TO HAVE A PLAN AND IT HAS TO BE APPROVED AND ALL THAT. SO, THEY ARE WORKING ON THAT SO ALL I CAN TELL YOU TONIGHT IS THAT HE WILL AGREE THAT HE'S PUTTING 78 ACRES MORE OR LESS INTO THE FORESTRY 61, CHAPTER 61.

VICE PRESIDENT JORDAN ASKED THERE'S A FOLLOW UP QUESTION TO THAT, I DON'T KNOW IF MS. KWITCHOFF WILL BE GOING THERE WITH THIS, IS THERE ANYTHING TO STOP THEM FROM TAKING IT OUT OF LATER. LIKE THIS 25 ACRES IN QUESTION HAVE BEEN IN 61A. NOW HE WANTS TO TAKE IT OUT. I DON'T KNOW ENOUGH ABOUT IT TO BE. I APPRECIATE THAT 78 ACRES TO GO INTO THE FORESTRY, 61 FORESTRY PLAN. IS THERE ANYTHING THAT STOPS THEM FROM TAKING TO BACK OUT.

ATTORNEY HARB STATED I DON'T THINK THE LAW MANDATES THAT HE CAN'T. I THINK THERE ARE PROCEDURES ON HOW TO TAKE IT OUT, WHETHER THERE IS ROLL BACK TAXES, NO ROLLBACK TAXES. YOU CAN'T CHANGE THE USE LIKE THIS ONE, WE CAN'T COME BACK TO YOU IF THE USE IS GOING TO CHANGE. IF HE IS GOING TO PUT A PROJECT IN BUT WHATEVER THE 61A. I USUALLY DEAL WITH 61A NOT 61. THEY TAUGHT ME AT THE HOUSE DON'T SAY ABOUT THINGS YOU DON'T KNOW. I DON'T KNOW WHAT ALL THE REQUIREMENTS ARE, BUT WHATEVER THE STATUTE ALLOWS, AND I DO BELIEVE IT ALLOWS YOU TO TAKE IT. CURRENTLY IT IS NOT HIS POSITION TO TAKE IT OUT. AS HE MENTIONED TO ME IN THE BREAK THAT PROPERTY IS JUST AS HILLY AS EVERYTHING ELSE AND IT PROBABLY NOT REALLY DEVELOPABLE, SO IT'S LIKELY IT WILL STAY IN 61 BUT I DON'T WANT TO GUARANTEE IT.

VICE PRESIDENT JORDAN STATED I UNDERSTAND THAT.

COUNCILOR MICHITSON STATED THE ONE CONCERN THAT I STILL HAVE IS THE DOVER AMENDMENT AND WHAT THE IMPACT IS. I'M NOT CONVINCED THAT WE KNOW ENOUGH ABOUT WHERE THAT LINE IS, WHERE WE COULD STEP OVER IT AND BE SUED. IF I HAD MY PREFERENCE THAT I WOULD ASK TO POSTPONE THIS SO WE CAN TALK WITH OUR LEGAL FOLKS AND HAVE A MUCH BETTER UNDERSTANDING OF WHAT THE IMPACT WOULD BE. OTHERWISE, THERE ARE PROS AND CONS HERE. THIS IS A TOUGH DECISION. BUT FOR ME UNDERSTANDING THE DOVER AMENDMENT AND WHERE THAT LINE IS THAT WE DON'T WANT TO CROSS OVER. I DON'T FEEL THAT I UNDERSTAND THAT.

PRESIDENT SULLIVAN STATED THE CITY SOLICITOR IS STILL ONLINE WOULD YOU HIM TO SPEAK MORE ON THIS.

COUNCILOR MICHITSON STATED I WOULD RATHER NOT SPEAK TO HIM IN THIS ENVIRONMENT. I THINK HE IS GOING TO NEED TIME TO LOOK AT IT. THANK YOU.

COUNCILOR FERREIRA STATED I HAVE A COUPLE OF QUESTIONS FOR YOU MY UNDERSTANDING IS THAT CHAPTER 61 WHILE ITS FORESTRY AND NOT NECESSARILY OTHER AGRICULTURE IT DOESN'T HINDER OR STOP FUTURE DEVELOPMENTS ON THAT LAND THAT ITS JUST HELD AT THAT. SO, ITS NOT A CONSERVATION RES COUNCILOR FERREIRA STATED MY UNDERSTANDING IS THAT CHAPTER 61 WHILE ITS FORESTRY AND NOT NECESSARILY OTHER AGRICULTURE IT DOESN'T HINDER OR STOP FUTURE



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DEVELOPMENT ON THAT LAND THAT IT'S JUST HELD AT THAT RIGHT? SO, IT NOT A CONSERVATION RESTRICTION. IT'S NOT A DEVELOPMENT RESTRICTION. IT'S JUST THE STATUS OF THAT FORESTRY AREA.

ATTORNEY HARB STATED MAYBE MR. GARNEAU CAN ANSWER THAT QUESTION BETTER BECAUSE HE IS WORKING ON THE FORESTRY PLAN.

MR. GARNEAU STATED YES, COUNCILOR, THAT IS CORRECT. WHAT HAPPENS IS IF THERE WAS A DEVELOPMENT SHORT OF THEY CAN TAKE OUT A PARCEL FOR A FAMILY MEMBER TO DEVELOP IF THEY ARE TAKING IT FOR DEVELOPMENT THE TOWN WOULD HAVE THE RIGHT OF FIRST REFUSAL JUST LIKE THIS PARCEL. SO, IF I HAD 50 HOUSES GOING IN WITH A BONA FIDE OFFER IT HAS TO COME BEFORE THE COUNCIL TO SEE IF YOU GUYS WANT TO PURCHASE THAT PROPERTY AT WHATEVER THE OFFERING PRICE IS.

COUNCILOR FERREIRA STATED THAT IS A HELPFUL CLARIFICATION. LIKE YOU SAID, IT COULD POTENTIALLY YOU COULD REMOVE PIECES OR PARCELS FOR FAMILY MEMBERS TO BUILD HOMES ON. THAT'S THE ALLOWANCE WITHIN 61.

MR. GARNEAU STATED THAT IS CORRECT. BUT I AM NOT SURE I AM NOT A LEGAL TRUST ATTORNEY I DON'T KNOW WHERE BECAUSE EACH PARCEL IS OWNED BY A TRUST. I KNOW PRIVATE OWNERSHIP, BUT THE TRUST I CAN'T ANSWER THAT WITHOUT A LEGAL BASIS.

CHRISTINE KWITCHOFF STATED CAN I JUST COMMENT ON THAT REAL FAST. JUST TO CLARIFY CHAPTER 61 IS FOREST LAND AND 61A AGRICULTURE AND 61B RECREATIONAL LIKE A GOLF COURSE. THE LAND THAT YOU COULD TAKE ASIDE FOR A HOUSE IS CALLED AN ENVELOPE. THE SALAS DID IT. THEY DID IT AND THEY PIECE THEY PUT PIECE OF THEIR LAND ASIDE FOR THEIR SON TO BUILD A HOUSE, SO YOU CAN AND THAT DOES OCCUR.

PRESIDENT SULLIVAN STATED HOLD ON. HOLD ON WE WILL LET YOU GET UP IN A MOMENT.

COUNCILOR FERREIRA STATED I FEEL LIKE I MISSED THE BATTERY STORAGE PIECE OF THIS IN OUR LAST MEETING HERE. SO, IT SEEMS TO ME THAT BATTERY STORAGE REQUIRES FIRE SUPPRESSION OUT THERE DIFFERENT THAN FIRE PROTECTION PLAN BUT MAYBE I'M WRONG AND DIDN'T CATCH THE BATTERY STORAGE HEADING ON THE LAST MEETING.

ATTORNEY HARB STATED I'LL ASK CHRIS; DO YOU WANT TO ADDRESS THAT.

CHRISTOPHER ANDERSON STATED I HAVE WORKED ON OTHER BATTERY STORAGE FACILITIES SPECIFICALLY STANDALONES. I CAN'T SPEAK TO EXACTLY WHAT'S GOING ON THIS SITE. BUT TYPICALLY, WHAT OCCURS ON BATTERY SITES FOR FIRE SUPPRESSION IS THAT THESE BATTERY SYSTEMS ARE HEAVILY MONITORED BY VARIOUS ELECTRICAL INPUTS AND STUFF LIKE THAT, SO THAT IF THERE'S EFFECTIVELY A FAILURE THE FIRST STEP IS THE DEENERGIZE THE ENTIRE SYSTEM. IT'S INTENDED TO LET IT SIT AND LET THE TEMPERATURE DROP. FIRE SUPPRESSION IS NEVER RECOMMENDED BECAUSE OF THE RISK OF CONTAMINATION I BELIEVE PETER COUGHLIN MIGHT HAVE MORE INFORMATION ON IT. HE IS ONE OF THE DEVELOPERS FOR THE SOLAR SITE. I WOULD DEFER TO HIM.

PRESIDENT SULLIVAN STATED PETER COUGHLIN IS ONLINE, IF PETER WOULD LIKE TO SPEAK.

PETER COUGHLIN, DIRECTOR OF DEVELOPMENT FOR SPL. I AM IN REDMOND OREGON AND YES, THE BATTERY STORAGE HAS ITS OWN INDEPENDENT FIRE SUPPRESSION SYSTEM, WHICH HAS MAINTENANCE ON A MONTHLY BASIS. AS CHRIS SAYS ITS GEARED INTO THE WI-FI REPORTING SYSTEM, MONITORING SYSTEM WHICH ALERTS THE FIRE DEPARTMENT IF THERE'S A PROBLEM, BUT IT HAS ITS OWN CHEMICAL THAT PUTS THE LITHIUM BATTERIES UNDER CONTROL IMMEDIATELY. ITS AN OSHA ELECTRIC UL REQUIREMENT ON ALL THESE SITES.

COUNCILOR FERREIRA STATED JUST TO CLARIFY YOU'RE SAYING THE CHEMICAL SUPPRESSION SYSTEM OVER WHERE THE BATTERIES ARE.

PETER COUGHLIN STATED CORRECT.

COUNCILOR FERREIRA STATED MY UNDERSTANDING WAS THERE WERE NO CHEMICALS SUPPRESSION ON THIS SITE. SO, IS A WATER SUPPRESSION SYSTEM ADEQUATE FOR THIS.

PETER COUGHLIN STATED THEY DON'T USE WATER ON LITHIUM BATTERY FIRES. IT'S A CLASS C EXTINGUISHING GAS, WHICH IS FOR ELECTRICAL FIRES. SO, THERE'S NO WATER INVOLVED, NO CONTAMINATION POSSIBLE. SO, YOU'RE OKAY.

COUNCILOR FERREIRA STATED OKAY, THAT IS REASSURING. AS FARMER IN MY OTHER JOB, I HAVE A BIT A HANG UP ON THERE'S SOME WORDING IN THIS ON THE POLLINATOR MIX BEING SPREAD OR SEEDED AMONG THE PANELS. I AM ASSUMING THEY ARE WIDE ENOUGH TO MOW MONTHLY AS YOU SAID THAT THEY WOULD BE DONE BUT POLLINATOR MIXES MEANS FLOWERS AND FORAGE SO DO WE THINK THAT TIMING WORKS AND IS IT TRULY A POLLINATOR MIX AND IS THERE AN ACTUAL MOMENTUM SHIFT. I KNOW A LOT OF THE BEEKEEPERS IN THE ASSOCIATION THAT YOU MENTIONED, NOT A LOT OF THEM ARE FROM AROUND HERE. IS IT A REALISTIC ENDEAVOR TO PUT BEEHIVES IN THE SPACE AND PLANT IT IN AN ACTIVE POLLINATOR MIX THAT WILL ACTUALLY GROW IN THAT SPACE ONCE THE GRADING DISTURBS THE SOIL ON THIS ROCKY, VERY SANDY AREA.

PETER COUGHLIN STATED THAT IS A GOOD QUESTION. I THINK I CAN ANSWER THAT REAL QUICK FOR YOU. I AM NEW TO THE BEE POLLINATION FIELD MYSELF SO I WENT AHEAD AND JOINED THE ESSEX COUNTY AND THE MASSACHUSETTS BEEKEEPERS ASSOCIATION. I WROTE THEM A LETTER AND REACHED OUT TO THEM EXPLAINED OUR PROJECT, EXPLAINED WHAT WE'RE



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TRYING TO DO AND THEY'RE PUTTING A PLAN TOGETHER WHERE THEY ARE GOING TO SHOW US WHAT TO PLANT IN THE FLOWERBEDS, YOU KNOW DANDELIONS, BROWN EYES, DEAD METAL, RED MAPLES IN THE SUMMER, WILD BLUE FLOATS, BUTTERFLY WEED, MILK WEED, BLAZING STAR, BEE BALM AND IN THE LATE FALL WITCH HAZELS BLOOM FROM OCTOBER THROUGH LATE NOVEMBER IN NEW ENGLAND. WE ARE WAITING FOR THE PLAN TO COME BACK AND WE KNOW I TOLD THEM WE JUST WANT A REALLY GOOD WORKING PLAN WHERE WE CAN GET LOCAL BEEKEEPERS TO COME UP AND HELP US YOU KNOW KEEP IT ROLLING. I AM EXCITED ABOUT IT HOPEFULLY YOU WILL LIKE THE PLAN WHEN YOU SEE IT. BUT THAT IS WHO IS PUTTING IT TOGETHER. IT'S PRETTY MUCH THE ESSEX BEEKEEPERS ASSOCIATION.

COUNCILOR FERREIRA STATED MY LAST QUESTION, SINCE YOU ARE NOT A LOCALLY BASED ORGANIZATION FOR THIS DO YOU HAVE LOCAL STAFF READY TO GO FOR ALL THIS MAINTENANCE AND INSTALL. I WOULD HOPE YOU ARE LOOKING TO HIRE PEOPLE NEARBY IN OUR COMMUNITY TO WORK ON THIS IF IT WERE TO PASS AND THEN I WOULD ALSO ASSUME YOU WOULD HAVE QUALIFIED FOLKS NEARBY TO HANDLE ALL THE MAINTENANCE AND MOWING AND THE PUBLIC SAFETY ACCESS ROAD FOR SURE NEED THAT ESPECIALLY ON THE SLOPED AREA WITH WEATHER THAT COMES THROUGH AND STUFF LIKE THAT.

PETER COUGHLIN STATED THAT IS CORRECT. WE WILL WORK WITH LOCAL CONTRACTORS THAT ARE BONDED AND LICENSED AND TRY TO KEEP EVERYTHING LOCAL. WE'RE REALLY DON'T HAVE OUR OWN CREWS FROM OUT OF STATE TO COME IN. OTHER THAN WHEN THEY COME IN AND BUILD IT. THERE IS ONE CREW IN NEW ENGLAND THAT WOULD PROBABLY DO IT BUT AS FAR AS THE MAINTENANCE IT IS BETTER TO WORK WITH THE LOCAL PEOPLE. WE GET BETTER RATES AND BETTER COOPERATION FOR THEM TO GO OUT AT THE LAST SECOND. YOU KNOW HEY CAN YOU TAKE CARE OF THIS, SO WE ARE VERY MUCH ALL ABOUT LOCAL. MY FAMILY IS FROM GREENFIELD, SO I AM OVER ON THE WESTERN SIDE THAT'S WHY I HAVE A FUNNY ACCENT.

COUNCILOR FERREIRA STATED MY LAST QUESTION IS CAN WE CONFIRM THAT THIS SPACE EVEN THOUGH ITS WOODED IS ACTUALLY NOT BUILDABLE. THAT IT DOES NOT PERK, OR IT IS NOT ABLE TO HAVE HOMES CONSTRUCTED ON IT.

PETER COUGHLIN STATED IF YOU WANT TO PAY FOR A STUDY WE WOULD BE GLAD TO DO THAT FOR YOU.

ATTORNEY HARB STATED I CAN MAKE ONE COMMENT ON THAT. MY CLIENT TOLD ME THEY HAD DEVELOPMENT PLANS BEFORE WITH DEVELOPERS TO GO IN AND THEY DID NOT PASS. THE PLAN DID NOT GO ANYWHERE. THEY HAD LOOKED AT IT WITH A DEVELOPER THAT TRIED TO SEE, CAN I PUT ANY HOUSES IN THERE.

PRESIDENT SULLIVAN STATED ANDY GAGNON HAS BEEN WAITING PATIENTLY TO SPEAK AND SINCE THIS IS THE PROPERTY OWNER WHO IS BEING AFFECTED OR IMPACTED BY THE DECISION, I WOULD LIKE HIM TO BE ABLE TO SPEAK BEFORE US.

ANDY GAGNON, LOVER'S LANE ADDRESSED THE COUNCIL. THE INFRASTRUCTURE COST TO PUT A DEVELOPMENT IN THERE IS WAY MORE COSTLY THAN IT WOULD BE TO BUILD THE HOUSES. THE ONLY WAY THEY CAN GET UTILITIES IN THERE IS BRING THEM UP THAT LEDGE ON 108 WHICH WILL BE TAKEN OUT TWO OF THE HOUSES ON LOVER'S LANE AND TRAVERSING THE SLOPE WHICH THE COST OF THAT IS NOT EFFECTIVE. THAT'S BEEN TRIED TWICE. THE UTILITIES CANNOT GO OVER THE BORDER FROM MASSACHUSETTS TO NEW HAMPSHIRE. ROUTE 108 IS ALL NEW HAMPSHIRE NOTHING CAN COME IN THAT WAY. NOTHING CAN COME IN FROM LOVER'S LANE CAUSE HALF OF LOVER'S LANE IS NEW HAMPSHIRE. HIS FATHER WAS BUILDING A HOUSE FOR A FAMILY MEMBER. I DID IT FOR MYSELF AND THERE'S NO ROAD. YOU HAVE TO ABIDE BY THE BUILDING INSPECTOR, THE BUILDING CODES WITH THE ROAD GRADE AND EVERYTHING. THERE'S NOTHING LIKE THAT AROUND, LEFT TO DO THAT. THERE IS NO WAY TO GET HOUSES IN THERE. THERE'S NO WAY AND I HAVE NO PLANS OF IT. I DO LIKE OPEN LAND. I WOULD LIKE TO KEEP THE LAND OPEN BUT THERE'S NO WAY TO DO ANY HOUSES. IT'S NOT GOING TO HAPPEN.

COUNCILOR FERREIRA STATED FOR ME ACROSS THE BOARD CUTTING 25 ACRES OF ESTABLISHED WOODS EVEN IF ITS SCRAPPY AND OVERGROWN LIKE EVERY OTHER BIT OF WOODED AREA I FEEL IN HAVERHILL IS AT THIS POINT. IT'S HARD FOR ME TO WRAP MY BRAIN AROUND.

PRESIDENT SULLIVAN STATED COUNCILOR IT IS 20 ACRES, 5 ACRES IS ALREADY CLEARED.

COUNCILOR FERREIRA STATED 5 ACRES ARE ALREADY CLEARED.

PRESIDENT SULLIVAN STATED THEY WOULD CLEAR 20 ADDITIONAL ACRES.

COUNCILOR FERREIRA STATED OKAY 20 ACRES. SO, IT'S STILL A LOT. I THINK IT IS FAIR FOR US TO CONSIDER AND I THINK IT IS SOMETHING WHEN IT IS GONE AND CLEARED IT'S GONE AND CLEARED. AND SO I AM GLAD THAT THERE ARE PLANS IN PLACE. I'M GLAD THAT WE HAVE MOST OF OUR ANSWERS ACCORDING TO OUR ORDINANCES AND DETAILS THAT ARE HELPFUL TO THINK ABOUT BUT I AM REALLY ON THE FENCE WITH A LOT TO THINK ABOUT SO THANK YOU FOR ANSWERING MY QUESTIONS.

COUNCILOR ROGERS STATED I HAVE LISTENED TO EVERYBODY AND YOU'RE GIVING I THINK BOB YOU HAVE DONE A GREAT JOB, BRINGING US THE INFORMATION AND FINDING OUT ALL THE FACTS. ONE OF THE THINGS I LIKE ABOUT THIS PROJECT IT IS ONLY CLEARING 20 ACRES OF THE 100+ ACRES OF LAND AND THERE'S ALSO NOT STRIPPING IF YOU HAD A DEVELOPMENT GOING IN THERE YOU WOULD BE STRIPPING ALL THE LOOM OUT OF THERE. YOU WOULD NEVER BE ABLE TO GO BACK TO WHAT THE GROUND IS NOW. THAT'S WHAT I LIKE ABOUT SOLAR IT DOESN'T STRIP THE LOOM AND IT DOESN'T STRIP THE LAND. EVEN THOUGH YOU ARE GOING TO TAKE IT OUT OF COMMISSION FOR 20 YEARS YOU WILL BE ABLE TO PUT IT BACK LATER ON. I DO LIKE



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THE IDEA THAT YOU ARE GOING TO PUT IN 80 ACRES OF FORESTRY. IT'S PROBABLY ALL YOUR HILLY AREAS, IT'S PROBABLY THE WORST AREAS OF YOUR LAND ARE GOING INTO THE, ISN'T IT BETTER I DON'T KNOW.

CITY CLERK WRIGHT STATED IF YOU COULD COME SPEAK INTO THE MICROPHONE.

COUNCILOR ROGERS STATED IT'S OKAY, HE IS BASICALLY SAYING IT'S NOT THE WORST AREA OF HIS LAND. IT'S SIMILAR BUT HE'S GOING TO KEEP THE BACK AREA AND WHATEVER THE OTHER AREA AND FOREST. I DO LIKE THAT IDEA. I LIKE THAT YOU ARE DOING THAT. I LIKE THAT YOU ARE NOT PUTTING IN HOMES AND IT'S JUST GOING TO CREATE MORE PEOPLE, MORE KIDS IN THE SCHOOL. I DO LIKE THE IDEA THAT WE NEED SOLAR THAT IS WHAT PEOPLE ARE LOOKING FOR. IT IS VERY WELL REGULATED. THERE'S TON OF REGULATIONS ON IT. I THINK HOPEFULLY IT WILL BRING DOWN COSTS OF ENERGY FOR THE RESIDENTS AND THE PEOPLE AROUND. BUT I WILL BE VOTING IN FAVOR OF THIS. THIS BRINGS IN TAX DOLLARS IN AND IS GOOD AND NOT ADDING THE RESIDENTS IN THE SCHOOL SYSTEM. THANK YOU.

COUNCILOR TOOHEY STATED I WILL BE BRIEF I'LL SAY SOMETHING THAT WON'T BE POPULAR WITH MY COLLEAGUES. I ACTUALLY AGREE WITH COUNCILOR MICHITSON I REMEMBER THE LAST MEETING WE HAD BASED ON WHERE THIS WAS GOING BASED ON FOR ME OPEN SPACE AND I KNOW THAT DECOMMISSIONED PLAN IS GREAT AND BOB DID A TERRIFIC JOB GETTING ALL THE DATA THAT WE REQUESTED. THERE'S NO QUESTION ABOUT THAT THE SCOPE FOR ME IS WHERE THE WOMAN ON THE LEFT I THINK IT WAS THE SAME PAGE AS SHE IS 2,400 TO 2,500 TREES BEING REMOVED MY POSITION REALLY IS BASICALLY THE SAME AS IT WAS AT THE LAST MEETING AT THE END OF THE DAY WHAT I WANT TO SUPPORT WHAT COUNCILOR MICHITSON ABOUT THE DOVER AMENDMENT. MY OPINION IS EITHER YOU KNOW GET US IN TROUBLE OR MAKE A DECISION TONIGHT WITHOUT IN OPINION HAVING SUFFICIENT DATA ON THE DOVER AMENDMENT. I AGREE WITH COUNCILOR MICHITSON. I DON'T THINK TONIGHT THE FORUM OPENLY AND I KNOW THAT'S NOT WHAT MY COLLEAGUES WANT TO HEAR. 20 ACRES 2,500 TREES OPEN SPACE AND I KNOW IT'S YOUR LAND. I KNOW YOU ARE FRUSTRATED WITH MY COMMENTS, BUT YOU ARE BEFORE US AND YOU DO NEED PERMISSION FROM US. I AM HOPEFUL THAT MY COLLEAGUES WOULD VOTE TO SUSPEND OR POSTPONE.

PRESIDENT SULLIVAN STATED CONTINUE.

COUNCILOR TOOHEY STATED CONTINUED IF YOU WILL. THE REASON WHY I SAY THAT IS A LOT OF POSITIVE THINGS HAVE HAPPENED ON BOTH SIDES. I'LL GIVE YOU AN EXAMPLE MR. HARB WAS BEFORE US MAYBE A MONTH AGO AND IF YOU WOULD HAVE TAKEN A TEMPERATURE OF THE THIS COUNCIL MR. HARB WHAT WAS IT YOU HAD ZERO. SO, MY POINT IS FOR US TO GATHER ALL THE DATA AND I AM NOT SURE ANYONE OF US CAN CITE OR UNDERSTAND COMPLETELY I DON'T WANT TO HURT ANYONE'S FEELINGS BUT THE DOVER AMENDMENT BASED ON WHAT I HEARD TONIGHT I WOULD LIKE MORE CLARIFICATION. I CERTAINLY WANT TO MAKE SURE AS A COUNCILOR AND FORGIVE ME FOR NOT BEING INFORMED TONIGHT BUT I WOULD LIKE TO KNOW EXACTLY WHEN I MAKE A DECISION HOW THAT'S GOING TO IMPACT ME. I WOULD SUPPORT COUNCILOR MICHITSON AND POSTPONING THIS UNTIL I GET FURTHER CLARIFICATION IN THE DOVER AMENDMENT. THAT'S MY TWO CENTS. THANK YOU ALL FOR BEING HERE THIS EVENING.

COUNCILOR MCGONAGLE STATED I JUST WANT TO CHIME IN ON THE DOVER AMENDMENT IT CUTS BOTH WAYS WHETHER WE APPROVE IT THAT CAN COME IN OR YOU DISAPPROVE IT THAT CAN COME IN. SO, WHAT ARE WE DOING. IF YOU SEND SOMETHING AND I AM NOT AN ATTORNEY, AND WE HAVE A FEW IN THE ROOM SO IT REALLY DEPENDS ON WHO IS MAKING THE AGREEMENT TO WHAT JUDGE OR HOWEVER THEY'RE GOING TO DO THAT. WE'RE GOING TO DELAY IT, I GUESS.

PRESIDENT SULLIVAN STATED THE DOVER AMENDMENT SIMPLY STATES THAT WHEN YOU'RE DEALING WITH CERTAIN USES OF LAND INCLUDING SOLAR THE MUNICIPALITY CANNOT PUT UNDUE, UNJUST OBSTACLES TO PREVENT THAT FROM HAPPENING. SO, IF THE COUNCIL FEELS LIKE WHAT THEY'RE GOING TO REQUEST FOR CONDITIONS OR OTHERWISE WHEN WE FINALLY GET TO THE VOTE. IF THEY FEEL LIKE THEY ARE ASKING FOR A REASONABLE REQUESTS, THEN FEEL FREE TO ASK FOR THOSE REASONABLE REQUESTS AND CONDITIONS. HOWEVER, IF THEY ARE DEEMED TO BE UNREASONABLE OR TOO MUCH THEN THAT WOULD BE DEBATED IN A COURT OF LAW AND THE COURT WOULD DECIDE WHETHER OR NOT THE CONDITIONS IMPOSED BY THIS BODY TONIGHT WERE CONSIDERED JUSTIFIABLE OR NOT. THAT IS WHAT THE DOVER AMENDMENT IS ALL ABOUT. YOU CAN HAVE A SEPARATE DISCUSSION WITH OUR SOLICITOR ABOUT THAT ABSOLUTELY WE CAN DO THAT BUT IT'S NOT GOING TO CHANGE BASICALLY WHAT COUNCILOR MCGONAGLE SAID. WE CAN DO WHAT WE DO AND LET THE CHIPS FALL WHERE THEY MAY AND IF HE GOES TO COURT HE GOING TO WIN.

COUNCILOR TOOHEY STATED I JUST WANT MORE SPECIFICITY FROM THE DOVER AMENDMENT. I DON'T THINK I AM ASKING.

COUNCILOR LEWANDOWSKI STATED I JUST WANT TO ECHO WHAT PRESIDENT SULLIVAN SAID, HE IS CORRECT. ANY INTERPRETATION OF WHAT'S UNREASONABLE WOULD BE TAKEN UP BY A COURT OF LAW ACCURATE. WHAT THE DOVER AMENDMENT SAYS ESSENTIALLY, GENERALLY THAT YOU CANNOT PROHIBIT OR UNREASONABLY REGULATE. THE COURT WILL NARROW IT DOWN TO WHAT IS REASONABLENESS. THE ONLY CASE THAT I AM AWARE OF THUS FAR, AND THIS IS SOMETHING THAT I WOULD HAVE A CONVERSATION WITH THE CITY SOLICITOR ABOUT AS WELL IS THE TRACER CASE OF 2022. THERE IS A LOT OF DIFFERENT INTERPRETATIONS AND A LOT OF THINGS THAT WENT UNANSWERED IN THAT AS WHAT HAPPENED IF THIS OR WHAT



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HAPPENED IF FURTHER CASES. IT'S SET A PRECEDENT BUT NOT A VERY SPECIFIC PRECEDENT. DO WE WANT TO BE A PRECEDENT AS A CITY? NO WE DON'T AND SO TO THAT I THINK I WOULD AGREE WITH COUNCILOR TOOHEY AND COUNCILOR MICHITSON TO HAVE A CONVERSATION WITH OUR CITY SOLICITOR ABOUT THE CONDITIONS THAT WE AS A COUNCIL HAVE DISCUSSED TONIGHT THAT WE BELIEVE ARE REASONABLE THAT WE WOULD LIKE TO PUT INTO PLACE AND HAVE JUST A LEGAL OPINION AS TO WHETHER OR NOT THOSE MIGHT WITHSTAND REVIEW. MIGHT THEY NOT? ABSOLUTELY NOT THAT IF IN FACT THEY DECIDE TO SUE AND THEY THOUGHT THAT THOSE ARE UNREASONABLE RESTRICTIONS AND A COURT WOULD DETERMINE THAT. I THINK TO GET A HANDLE ON WHETHER OR NOT WHAT WE ARE ASKING WOULD THEN NOT QUIET SOME COUNCILORS IN TERMS OF ASKING SPECIFIC THINGS. THAT IS MY UNDERSTANDING OF THE DOVER AMENDMENT WITHOUT DOING A DEEP DIVE INTO IT BECAUSE IT IS NOT MY AREA OF LAW BUT IT DOES SAY YOU CAN REASONABLY REGULATE BUT NOT UNREASONABLE REGULATE EXCEPT WHEN NECESSARY TO PROTECT THE PUBLIC HEALTH AND SAFETY OR WELFARE. I THINK THEY WANT TO NARROW DOWN ON THAT AND I THINK IT'S NOT UNREASONABLE. PARDON THE USE OF THAT WORD SO MANY TIMES TO ASK OUR CITY SOLICITOR TO GIVE US GUIDANCE ON THAT. KNOWING THAT EVEN IF THIS COMES BACK TO US AND WE PUT ON THOSE CONDITIONS WE STILL CAN BE SUBJECT TO A LAWSUIT. THERE'S NO GUARANTEE THAT WE'RE NOT GOING TO BE IF IN FACT WE ARE SHUT DOWN OR IF THE REGULATIONS WERE CHALLENGED. BUT TO GET A BETTER SENSE OR A CLEARER SENSE OF WHETHER OR NOT WE ARE IN THE BALL PARK WHAT WE ARE ASKING IS NOT A BAD IDEA. SO, FOR THAT PURPOSE I WOULD SUPPORT COUNCILOR MICHITSON AND COUNCILOR TOOHEY.

PRESIDENT SULLIVAN STATED WE ARE HEADED TOWARDS A CONTINUANCE AND OUT OF FAIRNESS OF ALL PARTIES I THINK THAT IS PROBABLY THE BEST. WE DON'T HAVE A MOTION OR A SECOND TO CONTINUE THIS HEARING WE WOULD NEED A MOTION TO CONTINUE THIS HEARING.

COUNCILOR MICHITSON MOTIONED TO CONTINUE. SECOND BY COUNCILOR TOOHEY.

PRESIDENT SULLIVAN WE HAVE A MOTION AND A SECOND AND IF WE COULD ASK ATTORNEY HARB TO TAKE THE PODIUM TO GIVE US SOME THOUGHTS ON THE JANUARY DATES WHEN YOU MIGHT LIKE TO COME BACK SO WE COULD SET A DATE FOR THIS CONTINUANCE. THE FIRST TIME WE WILL MEET IS THE 7TH. I WOULDN'T RECOMMEND THAT DATE BUT IF YOU WANT TO COME BACK NEXT WEEK YOU COULD. WE HAVE A MEETING ON THE 14TH MADAM CLERK?

CITY CLERK WRIGHT STATED I AM LOOKING AT THE CALENDAR RIGHT NOW.

PRESIDENT SULLIVAN STATED LET ME KNOW THE DATES IN JANUARY WE DO HAVE CIVIL RIGHTS DAY WHERE WE DON'T MEET. WE ARE OFF THE 21ST. THE 7TH, 14TH OR 28TH?

ATTORNEY HARB STATED THE 14TH IS PROBABLY BETTER FOR ME BECAUSE WE START ACTION UP NORTH ON THE 7TH. I WOULD SAY THE 14TH THAT NIGHT WOULD PROBABLY BE BEST.

PRESIDENT SULLIVAN STATED COUNCILOR MICHITSON AND COUNCILOR TOOHEY WE WILL CONTINUE THIS UNTIL THE 14TH. COUNCILOR TOOHEY AND MICHITSON STATED YES, THANK YOU.

PRESIDENT SULLIVAN STATED MADAM CLERK PLEASE CALL THE ROLL ON CONTINUING THE HEARING UNTIL JANUARY 14TH.

COUNCILOR MICHITSON MOTIONED TO CONTINUE TO JANUARY 14, 2025. SECOND BY COUNCILOR TOOHEY

PASSED CONTINUED TO JANUARY 14, 2025

YEAS 8, NAYS 3, ABSENT 0

YEAS-COUNCILORS JORDAN, MICHITSON, FERREIRA, LEWANDOWSKI, TOOHEY, MCGONAGLE, LE PAGE AND PRESIDENT SULLIVAN

NAYS-COUNCILORS BASILIERE, HOBBS EVERETT AND ROGERS

11. APPOINTMENTS:

- 11.1. Confirming Appointments:
- 11.2. Non-Confirming
- 11.3. Constables to expire December 31, 2024
- 11.4. Resignations:

12. PETITIONS:

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- 12.1. **Applications Handicap Parking Sign:** *with Police approval*
- 12.2. **Amusement/Event Application** – *pending departments approval*
- 12.3. **Auctioneer License:**
- 12.4. **Tag Days:** *with Police approval*
- 12.5. **One Day Liquor License** – *with License Commission & HPD approval*
- 12.6. **ANNUAL LICENSE RENEWALS:**
- 12.6.1. **Hawker Peddlers License- Fixed location** – *w/Police approval*
- 12.6.1.1. **FIXD 24-9;** Renewal from Lisa Wright for 20 Nettleton av,
outside the Haverhill Stadium, to sell hot dogs, sausages, chips, soda and
chili; 11 am to 4 pm starting April 15, 2025
VICE PRESIDENT JORDAN TO APPROVE, SECOND BY COUNCILOR LEWANDOWSKI
YEAS 11, NAYS 0, ABSENT 0 21-G
- 12.6.2. **Coin-Op License *Renewals*** – *with Police approval*
- 12.6.2.1. **AMUS 24-7;** Market Basket, 2 Water st, 2 Coin-ops
COUNCILOR MCGONAGLE TO APPROVE, SECOND BY VICE PRESIDENT JORDAN
YEAS 11, NAYS 0, ABSENT 0 22-G
- 12.6.3. **Christmas Tree Vendor** – *with Police approval*
- 12.6.4. **Taxi Driver Licenses for 2024:** *with Police approval*
- 12.6.5. **Taxi/Limousine License** *with Police approval*
- 12.6.6. **Junk Dealer /Collector License** *with Police approval*
- 12.6.7. **Pool/Billiard**
- 12.6.8. **Bowling**
- 12.6.9. **Sunday Bowling**
- 12.6.10. **Buy & Sell Second Hand Articles** *with Police approval*
- 12.6.11. **Buy & Sell Second Hand Clothing**
- 12.6.12. **Pawnbroker license** - *with police approval*
- 12.6.13. **Fortune Teller** *with - Police approval*
- 12.6.14. **Buy & Sell Old Gold** – *with Police approval*
- 12.6.15. **Roller Skating Rink**

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- 12.6.16. **Sunday Skating**
12.6.17. **Exterior Vending Machines/Redbox Automated Retail, LLC**
12.6.18. **Limousine/Livery License/Chair Cars *with Police approval***

13.MOTIONS AND ORDERS:

14. ORDINANCES (FILE 10 DAYS)

15.COMMUNICATIONS FROM COUNCILLORS:

- 15.1. Councillor LePage requests an overall update on past and future ARPA funded projects

COUNCILOR LEPAGE ASKED THE MAYOR TO GIVE A QUICK SYNOPSIS OF WHERE WE ARE AT AND TAKE THIS UP THE END OF JANUARY OR FEBRUARY.

MAYOR BARRETT ADDRESSED THE COUNCIL. SHE STATED THAT THE DATE IS DRAWING NEAR FOR ALL CONTRACTS AND PAPERWORK TO BE IN. THEY ALL HAVE TO BE SUBMITTED. IT IS QUITE ONEROUS BY DECEMBER 31, 2024. WE WILL HAVE ACCOUNTED FOR ALL OF THE 37 + MILLION DOLLARS THAT THE CITY RECEIVED. WITH THAT MONEY WE HAVE SPREAD IT OUT THROUGHOUT PRETTY MUCH EVERY DEPARTMENT. THE MAYOR LISTED THE DEPARTMENTS AND THE MONEY EACH RECEIVED TO HELP WITH PROJECTS AROUND THE CITY. COUNCILOR MCGONAGLE ASKED IF THE MONEY HAD TO BE ENCUMBERED BY THE END OF THIS YEAR?

MAYOR BARRETT STATED IT HAS TO BE ENCUMBERED IT DOESN'T HAVE TO BE SPENT. SHE STATED WE HAVE PUT MONEY INTO PAYING THAT WILL COVER THE NEXT TWO YEARS.

16. UNFINISHED BUSINESS OF PRECEEDING MEETING:

- 16.1. Mayor submits MOA for Citizen Center, Water & Engineering Teamster Groups
- 16.1.1. Document 14-F; Memorandum of Agreement between the City of Haverhill and the Citizen Center Group *Filed 12/5*

**MOTION BY COUNCILOR MCGONAGLE TO APPROVE, SECOND BY VICE PRESIDENT JORDAN
PASSED YEAS 11, NAYS 0, ABSENT 0**

- 16.1.1.1. Document 14-G; Memorandum of Agreement between the City
of Haverhill and Water Dept Group
Filed 12/5

**MOTION BY COUNCILOR MCGONAGLE TO APPROVE, SECOND BY VICE PRESIDENT JORDAN
PASSED YEAS 11, NAYS 0, ABSENT 0**

- 16.1.1.2. Document 14-H; Memorandum of Agreement between the City
of Haverhill and the Engineering Group *Filed*
12/5

**MOTION BY COUNCILOR MCGONAGLE TO APPROVE, SECOND BY VICE PRESIDENT JORDAN
PASSED YEAS 11, NAYS 0, ABSENT 0**



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- 16.2. Document 11-J; Ordinance re: Vehicles and Traffic, Add Handicap parking
at 17 Seventh av *Filed 12/5*

MOTION BY COUNCILOR MCGONAGLE TO APPROVE, SECOND BY COUNCILOR TOOHEY
PASSED YEAS 11, NAYS 0, ABSENT 0

17.RESOLUTIONS AND PROCLAMATIONS:

18.COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

- 18.1. Councillor John Michitson submits the minutes and recommendations of the
Planning and Development Committee meeting held on December 2, 2024 for
acceptance and approval

COUNCILOR MICHITSON STATED THE PLANNING AND DEVELOPMENT COMMITTEE MEETING WAS HELD ON DECEMBER 2, 2024,
6:00PM TO 7:30PM. WE HAD SEVERAL COUNCILORS, STAKEHOLDERS FROM THE SCHOOL SYSTEM, SEVERAL NON-PROFITS. HE
STATED HIS TOP TEN "WE KNOW LIST". HE NOTED THE NEXT MEETING OF THE STAKEHOLDERS WILL BE IN JANUARY TBD.

MOTION BY COUNCILOR MICHITSON TO APPROVE AND PLACE ON FILE, SECOND BY VICE PRESIDENT JORDAN
PASSED YEAS 11, NAYS 0, ABSENT 0

25-F

19.DOCUMENTS REFERRED TO COMMITTEE STUDY

20.LONG TERM MATTERS STUDY LIST

21.ADJOURN:

MOTION BY VICE PRESIDENT JORDAN, SECOND BY COUNCILOR LEWANDOWSKI
PASSED YEAS 11, NAYS 0, ABSENT 0

ADJOURNED: 22:13