



**CITY OF HAVERHILL  
CITY COUNCIL AGENDA  
Tuesday, February 24, 2026, at 7:00 PM  
Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202  
In-Person/Remote Meeting**

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*This meeting of Haverhill City Council will be held in-person at the location provided on this notice as its official meeting location pursuant to the Open Meeting Law. As the meeting is held in person at a physical location that is open and accessible to the public, the City Council is not required to provide remote access to the meeting. Members of the public are welcome to attend this in-person meeting. Please note that a live stream of the meeting is being provided only as a courtesy to the public, and the meeting will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. Those attending tonight's meeting should be aware that the meeting is being audio and video recorded by HCTV, The Eagle Tribune, and WHAV. Any audience members who wish to record any part of the meeting must inform the Council President who will announce the recording. This is to comply with the MA wiretap statute. Thank you.*

- 1. OPENING PRAYER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MINUTES OF PRIOR MEETING**
- 4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING:**
- 5. COMMUNICATIONS FROM THE MAYOR:**

- 5.1. Mayor Barrett submits an Ordinance Relating to Sex Offenders which amends the previously accepted ordinance
  - 5.1.1. Order Re: Sex Offenders: Amend § 189-16

**File 10 Days**

- 5.2. Mayor Barrett submits an order to establish the Haverhill 250<sup>th</sup> Celebration Gift Fund for the receipt of gifts to be spent on the City's 250<sup>th</sup> Celebration
  - 5.2.1. Order- That the City Council on behalf of the City votes to establish the Haverhill 250<sup>th</sup> Celebration Gift Funds for the receipt of the gifts to be spent on the City's 250<sup>th</sup> Celebration events



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5.3. Mayor Barrett submits an order to enter into a lease agreement for the lease/purchase of a Command Vehicle for the Fire Department

5.3.1. Order- That the City Council authorizes the Mayor to enter into a lease agreement for the lease purchase of a 2026 Chevrolet Tahoe for the Fire Department for a period of three years, but in any event not in excess of the useful life of the property to be purchased, to be procured on such terms and conditions as the Mayor deems in the best interest of the City; and to authorize the Mayor to take all actions necessary to administer and implement such agreement

***THIS REQUIRES A TWO-THIRDS MAJORITY VOTE.***

5.4. Mayor Barrett wishes to introduce DPW Director Robert E. Ward to discuss continuing drought condition

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

**7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28**

**8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:**

8.1. Angel A. Perkins, *City Auditor & Chief Financial Officer*, submits the revenue and expense reports through January 2026

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

9.1. **Doc 7-B** - Petition from National Grid and Verizon, WR# 31232805, requesting joint pole location at Golden st

**10. HEARINGS AND RELATED ORDERS:**

10.1. **Document 97 of 2025**– JT Couch for Creek Brook CML requests to store 19,000 gallons of Class IIIB edible shortening oil and 5,000 gallons of Class II diesel fuel in aboveground storage tanks at 30 Creek Brook Dr

Hearing continued from February 3, 2026

*Related communication from applicant JT Couch requesting to continue the hearing until March 17th, when a full Council will be present*



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- 10.2. **Doc 5-B-** Bill Pillsbury, Economic Development and Planning Director, requests Zoning Amendment- Battery Energy Storage System

*Continued from January 27, 2026*

*Related communication from City Solicitor Lisa Mead requesting to continue the hearing until March 17<sup>th</sup>*

**11.APPOINTMENTS:**

- 11.1. **Confirming Appointments:**  
11.2. **Non-Confirming Appointments:**  
11.3. **Constables**  
11.4. **Resignations**

- 11.4.1. Commission on Disability Issues- Joyce Thibodeau- effective February 17, 2026

**12.PETITIONS:**

- 12.1. **Applications Handicap Parking Sign:** *with Police approval*  
12.2. **Amusement/Event Application:** *with Police approval*  
12.3. **Auctioneer License:**  
12.4. **Tag Days:** *with Police approval*

- 12.4.1. **TAGD-26-3;** HHS Baseball Boosters, March 7, 2026  
12.4.2. **TAGD-26-4;** HHS Drama Club, March 21, 2026

- 12.5. **One Day Liquor License –with HPD approval**

- 12.6. **ANNUAL LICENSE RENEWALS:**

- 12.6.1. **Hawker Peddlers License- Fixed location – w/Police approval**  
12.6.2. **Coin-Op License Renewals – with Police approval**  
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**



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- 12.6.11. **Buy & Sell Second Hand Clothing** *with Police approval*
- 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**
- 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 ORDER:**

**14.ORDINANCES (FILE 10 DAYS):**

**15.COMMUNICATIONS FROM COUNCILORS:**

- 15.1. Vice President John Michitson submits the summary of minutes and recommendations of the Planning and Development Committee meeting held on February 9, 2026 for acceptance and approval
- 15.2. Vice President John Michitson wishes to announce the Planning and Development Committee meeting on Monday, March 2, 2026 at 6 PM in Room 202, City Council Chambers

**16. UNFINISHED BUSINESS OF PRECEDING MEETING:**

- 16.1. **Doc 19-A-** Mayor Barrett submits a Memorandum of Agreement for the Animal Control/Mechanic/Bldg. Craftsman Custodian/ Custodian Union Group (Teamsters Local #170)
  - 16.1.1. Memorandum of Agreement between the City of Haverhill and the Animal Control/Mechanic/Bldg. Craftsman Custodian/ Custodian Union Group (Teamsters Local #170)

*Filed February 11, 2026*
- 16.2. **Doc 1-I-** Mayor Barrett submits an Ordinance Relating to Fire Prevention.
  - 16.2.1. Ordinance Re: Fire Prevention: Amend §150-2, §150-3(A), §150-7 (A), and §150-7(C)

*Filed February 11, 2026*

**Continue to March 10, 2026 due to advertisement**



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- 16.3. **Doc 10-D** – Ordinance re: Vehicles and Traffic; Amend Ch 240, be further amended by DELETING the following to § 240-85 schedule B: Parking Restriction and Prohibitions:

Location	Regulation	Hours/ Days
21 Seventh Ave	No Parking	24-Hrs

(except for 1 24-hr  
handicap parking space)

*Filed February 4, 2026*

**17.RESOLUTIONS AND PROCLAMATIONS:**

**18.COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS:**

**19.DOCUMENTS REFERRED TO COMMITTEE STUDY:**

**20.LONG TERM MATTERS STUDY LIST:**

**21. ADJOURN:**

5.1 File 10 days

MELINDA E. BARRETT  
MAYOR



CITY OF HAVERHILL  
MASSACHUSETTS

CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
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February 20, 2026

**To:** City Council President Timothy J. Jordan and Members of the Haverhill City Council  
**From:** Mayor Melinda E. Barrett  
**Re:** Ordinance Relating to Sex Offenders

Dear Mr. President and Members of the City Council:

Attached please find an Ordinance Relating to Sex Offenders which amends the previously accepted Ordinance. I have also attached a memo from the City Solicitor explaining the proposed amendment.

I recommend approval

Very truly yours,

Melinda E. Barrett  
Mayor



Mead, Terman & Costa, LLC  
Attorneys at Law

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30 Green Street  
Newburyport, MA 01950  
Phone 978.463.7700

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February 17, 2026

Melinda Barrett, Mayor  
City of Haverhill  
4 Summer Street,  
Room 204  
Haverhill, MA 01830

Re: Amendment to Chapter 189, § 189-16 of the City Ordinances

Dear Mayor Barrett:

Reference is made to the above captioned matter. In that connection, you have requested that we amend City of Haverhill City Ordinances Chapter 189, § 189-16 Sex Offenders.

Attached to this correspondence and for the City Council's review is a draft of said amended § 189-16 and a memorandum explaining the reasons for doing so.

Sincerely,

/s/ Lisa L. Mead

Attorney Lisa L. Mead  
City Solicitor

Enclosure(s)

cc: Haverhill City Council

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*Millis Office*

730 Main Street, Suite 1F  
Millis, MA 02054

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*New Bedford Office*

227 Union Street, Suite 606  
New Bedford, MA 02740



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**TO:** MELINDA BARRETT, MAYOR  
CHRISTINE LINDBERG, MAYOR'S OFFICE CHIEF OF STAFF

**FROM:** LISA L. MEAD, CITY SOLICITOR  
ALEXANDER M. CASTRO, CITY SOLICITOR

**RE:** SEX OFFENDER RESIDENCY ORDINANCE

**DATE:** FEBRUARY 17, 2026

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Per your request, below is a legal opinion as to why the City should amend its Sex Offender Ordinance, Chapter 189, § 189-16 of the City Code, by removing Subsection D(4) thereof and by removing “parks” and “recreational facilities” as prohibited locations. First, the City should remove Subsection D(4) because doing so (1) makes it less likely that the ordinance would be overturned under *Doe v. Lynn*, 472 Mass. 521 (2015); and (2) makes it less likely that the ordinance would be overturned under Article 24 of the Massachusetts Declaration of Rights and Article 1, Section 9 of the United States Constitution as an ex post facto law. Second, the City should remove “parks” and “recreational facilities” as prohibited locations because, upon further review, we found that the City and its Police Department have mapped prohibited locations around schools only; and because doing so makes it less likely that the ordinance would be overturned under *Doe v. Lynn*.

In *Doe v. Lynn*, a group of sex offenders challenged a city ordinance restricting – with certain exceptions – their right to reside and their right to be physically present at a particular place within the city. *See id.* The purpose of the ordinance was to “reduce the potential risk of harm to children of the community by impacting the ability of registered sex offenders to be in contact with unsuspecting children in locations that are primarily designed for use by, or are primarily used by children.” *Id.* at 522-524. Observing that “[r]egistered sex offenders continue to reside in close proximity to public and private schools, parks and playgrounds,” and that “registered sex offenders will continue to move to buildings, apartments, domiciles or residences in close proximity to schools, parks and playgrounds,” the city council enacted the ordinance to “add location restrictions to such offenders where the [S]tate law [was] silent.” *Id.*

Specifically, the ordinance prohibited – with certain exceptions – Level 2 and Level 3 sex offenders from living within 1,000 feet of a school or park, which effectively excluded Level 2 and 3 sex offenders from living in 95% of the city. *See id.* The ordinance likewise prohibited – again with certain exceptions – Level 2 and Level 3 offenders from entering a school, park, or recreational facility, and from “loitering” within 1,000 feet of such facilities. *See id.*

Noting that 40 municipalities in commonwealth had similar bylaws or ordinances, the Supreme Judicial Court (the “SJC”) nonetheless upheld the Superior Court’s decision invalidating the ordinance as exceeding the city’s authority under the Commonwealth’s Home Rule Amendment.

“Local regulation will not be invalidated under Home Rule Amendment unless the court finds a sharp conflict between the local and state provisions, and sharp conflict

appears when either the legislative intent to preclude local action is clear, or, absent plain expression of such intent, the purpose of the legislation cannot be achieved in the face of the local by-law.” *Id.* at 526. Applying the foregoing standard, the SJC held as follows:

The totality of the [Commonwealth’s sex offender registry] statutory scheme, incorporating as it does a series of interdependent policies and practices specifically designed to protect the public from level two and three sex offenders by monitoring and notification to the public, evinces the Legislature’s intent to have the first and final word on the subject of residency of sex offenders. In addition, insofar as the ordinance effects [*sic*] a wholesale displacement of sex offenders from their residences, it frustrates the purpose of the registry law and, therefore, is inconsistent and invalid under the home rule provisions.

*Id.* at 533. The Attorney General’s Municipal Law Unit interprets *Doe v. Lynn* as prohibiting municipalities from enacting any local legislation that regulates “where sex offenders may live or be.” *West Boylston Semi-Annual Town Meeting of October 21, 2024 - Case # 11610*; see also *Yarmouth Annual Town Meeting of May 2, 2015 - Case # 7602* (“the City of Lynn decision makes it clear that any municipal regulation of sex offenders’ residency or presence at particular places within the municipality is preempted by the comprehensive state statutory scheme”); *Rehoboth Special Town Meeting of November 2, 2015 - Case # 7797*.

Here, while there is no doubt that the Sex Offender Ordinance regulates where sex offenders may live or be in the City, cities are not required to submit their ordinances to the Municipal Law Unit for review and, as such, are not necessarily subject to the foregoing interpretation.

But if challenged, the ordinance may still be overturned under *Doe v. Lynn* because (1) like the Lynn ordinance, the City’s ordinance prohibits sex offenders from residing within 1000 feet of or loitering around a school; and (2) *Doe v. Lynn* is abundantly clear that the statutory scheme on registering sex offenders preempts the field – as stated by the Municipal Law Unit.

Section D(4) of the City’s Sex Offender Ordinance reads as follows:

Notice to move. A registered sex offender who resides on a permanent or temporary basis within 1000 feet of any school shall be in violation of this section and shall, within 30 days of receipt of written notice of the registered sex offender’s noncompliance with this chapter, move from said location to a new location, but said location may not be within 1000 feet of any school. It shall constitute a separate violation for each day beyond the 30 days the registered sex offender continues to reside within 1000 feet of any school. Furthermore, it shall be a violation each day that a registered sex offender shall move from one location in the City to another that is within 1000 feet of any school.

By removing this provision and by removing “parks” and “recreational facilities” as prohibited locations, the City would have a better argument that its ordinance, unlike Lynn’s, does not affect “a wholesale displacement of sex offenders from their residences,” and is therefore valid under the Home Rule Amendment. This argument is bolstered by the fact that the prohibited locations mapped by the City – which, as noted above, are limited to areas around schools – are minimal and more reasonable when compared to the prohibited locations in *Doe v. Lynn*.

As for the being overturned under the United States and Massachusetts Constitutions, Article 1, Section 9 of the United States Constitution states that “[n]o Bill of Attainder or ex post facto Law shall be passed.” The Supreme Court of the United States has routinely and continuously upheld the proposition that legislative acts, no matter what their form, that apply either to named individuals or to easily ascertainable members of a group in such a

way as to inflict punishment on them without a judicial trial are bills of attainder prohibited by the Constitution. *See United States v. Lovett*, 328 U.S. 303, 315 (1946); *see also Cummings v. State of Missouri*, 71 U.S. 277 (1866). Similarly, Article 24 of the Massachusetts Declaration of Rights states that “[l]aws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.” In other words, ex post facto (retroactive) ordinances that punish actions that were not prohibited when they were committed – like residing within a certain distance from a school – and/or actions that have already been punished under a different law – the Commonwealth’s sex offender laws – are unconstitutional. Removing Section D(4) of the Sex Offender Ordinance therefore makes it less likely that the ordinance would be overturned as unconstitutional.

Still, even with the foregoing amendments, the Sex Offender Ordinance is ripe for a challenge under *Doe v. Lynn*, and prevailing against such a challenge would be an up-hill battle.

5.1.1



Document  
CITY OF HAVERHILL  
In Municipal Council

FEB 20 AM 9:04  
HAVCTYCLERK

Ordered:

MUNICIPAL ORDINANCE

CHAPTER 189

AN ORDINANCE RELATING TO SEX OFFENDERS

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 189 of the Code of the City of Haverhill, as amended, being and is hereby further amended by adding the following:

§ 189-16 Sex Offenders

A. Findings and purpose.

- (1) The City of Haverhill recognizes that it has a compelling interest in protecting children from the threat of sexual abuse;
- (2) Due to a child's vulnerability, the City Council is compelled to take a protective role by adopting laws that are designed to protect the City's children from registered sex offenders;
- (3) Registered sex offenders continue to reside in direct proximity to public and private schools;
- (4) Without adequate protective ordinances at the local level, registered sex offenders will continue to move to buildings, domiciles or residences in proximity to schools; and
- (5) The City Council wishes to protect children in the education environment.

B. Intent and scope.

- (1) The City Council finds that sex offenders pose a significant threat to the health and safety of the community and especially to children, whose age and inexperience make them particularly vulnerable to the heinous and reprehensible acts of these offenders.

- (2) The rate of recidivism among sex offenders is high. Limiting the frequency of contact between registered sex offenders and areas where children are likely to congregate reduces the opportunity and temptation, and can reduce the risk of repeated acts against children.
- (3) After careful consideration, the City Council finds that this legislation is the most narrowly tailored means of limiting, to the fullest extent possible, the opportunity for registered sex offenders to approach or otherwise come in contact with children in places where children would naturally congregate, and that the protection of the health and safety of our children is a compelling governmental interest.
- (4) It is the intent of this § 189-16 to serve and to protect the City's compelling interest to promote, protect, and Improve the health, safety, and welfare of the citizens of the City by creating areas around locations where children regularly congregate in concentrated numbers wherein certain registered sex offenders are prohibited from loitering and establishing temporary or permanent residence.
- (5) By the enactment of this or any other legislation, the City Council understands that it cannot remove the threat posed to or guarantee the safety of children, or assure the public that registered sex offenders will comply with the mandates of this § 189-16. This § 189-16 is intended to create a civil, nonpunitive regulatory scheme in order to protect children to the extent possible under the circumstances and not as a punitive measure of any kind.
- (6) Registered sex offenders pose a clear threat to the children residing or visiting in the community. Because registered sex offenders are more likely than any other type of offender to re-offend for another sexual offense, the City Council of the City of Haverhill desires to impose safety precautions in furtherance of the goal of protecting the children. The purpose of this chapter is to reduce the potential risk of harm to children of the community by impacting the ability for registered sex offenders to be in contact with unsuspecting children in locations that are primarily designed for use by or are primarily used by children, namely, the grounds of a public or private school for children, a park, or other private or public recreational facility. The City of Haverhill desires to add location restrictions to such offenders where the state law is silent.
- (7) The City of Haverhill does not intend for this § 189-16 to affect a wholesale displacement of sex offenders from their residences.

#### C. Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**CHILD or CHILDREN** — Persons under 18 years of age.

**ESTABLISHING A RESIDENCE** — To set up or bring into being a dwelling place or an abode where a person sleeps, which may include more than one location, and may be temporary, mobile or transitory, or by means of purchasing real property or entering into a lease or rental agreement for real property (including a renewal or extension of a prior agreement whether through written execution or automatic renewal).

**PARK** — Includes active and passive public land designated for recreational or athletic use by the City of Haverhill, the Commonwealth of Massachusetts, or other governmental subdivision, and located within the City of Haverhill.

**PERMANENT RESIDENCE** — A place where a person lives, abides, lodges, or resides for 14 or more consecutive days.

**RECREATIONAL FACILITY** — Includes, but is not limited to, a playground, a forest preserve, conservation area, jogging trail or running track, hiking trail, beach, water park, wading pool, soccer field, baseball field, football field, basketball court, or hockey rink.

**REGISTERED SEX OFFENDER** — Any person required to register as a sex offender pursuant to G.L. c. 6, § 178C, who is finally classified as a Level 2 or Level 3 offender pursuant to the guidelines of the Sex Offender Registry Board, and who has committed a sex offense against a child.

**SCHOOL** — Any public or private educational facility that provides educational instruction to children in grades Kindergarten through 12.

**SEX OFFENDER and SEX OFFENSE** — Shall have the same meaning as provided for in G.L. c. 6, § 178C.

**TEMPORARY RESIDENCE** — A place where a person lives, abides, lodges, or resides for a period of less than 14 consecutive days or 14 days in the aggregate during any calendar year, which is not the person's permanent address or place where the person routinely lives, abides, lodges, or resides and which is not the person's permanent residence; but "temporary residence" shall not include residence at a hospital or other acute care medical facility for fewer than 14 consecutive days or 14 days in the aggregate during any calendar year.

**D. Residency Restrictions**

- (1) Prohibition. A registered sex offender is prohibited from establishing a permanent residence or temporary residence within 1000 feet of any school.
- (2) Evidentiary matters; measurements. For purposes of determining the minimum distance separation, the distance shall be measured by following a straight line

from the outer property line of the permanent or temporary residence to the nearest outer property line of any school.

(3) Exceptions. A registered sex offender residing within 1000 feet of any school does not commit a violation of this section if any of the following apply:

a. The registered sex offender established the permanent residence prior to the effective date of this chapter, and:

- i. Permanent residence was established by purchasing the real property where the residence is established; or
- ii. Permanent residence was established through a valid, fixed-term, written lease or rental agreement, executed prior to the effective date of this chapter, the term of which has not yet expired.

b. The registered sex offender is a minor.

c. The school within 1000 feet of the registered sex offender's permanent residence was opened after the registered sex offender established the permanent residence.

#### E. Child Safety Zones

(1) Prohibitions.

a. A registered sex offender is prohibited from entering upon the premises of a school unless previously authorized specifically in writing by the school administration.

b. A registered sex offender shall not loiter on or within 1000 feet of any

property on which there is a school. Under this subsection, “loiter” means to enter or remain on property while having no legitimate purpose therefor or, if a legitimate purpose exists, remaining on that property beyond the time necessary to fulfill that purpose. No person shall be in violation of this subsection unless he or she has first been asked to leave a prohibited location by a person authorized to exclude the registered sex offender from the premises. An authorized person includes, but is not limited to, any law enforcement officer, any owner or manager of the premises, or principal or teacher, if the premises are a school.

(2) Exceptions.

- a. The prohibitions defined in this section shall not be construed or enforced so as to prohibit a registered sex offender from exercising his or her right to vote in any federal, state, or municipal election, or from attending any religious service.
- b. The prohibitions defined in this section do not apply to a registered sex offender’s place of residence when such residence is excepted under this § 189-16.

F. Exemptions.

- (1) The provisions of this chapter shall not be applicable to registered sex offenders incarcerated in any facilities owned, maintained, and/or operated by the City of Haverhill.

G. Enforcement; map of prohibited areas.

- (1) The Haverhill Police Department shall be charged with the enforcement of this chapter.
- (2) A map depicting the prohibited areas shall be created by the City and maintained by the Haverhill Police Department. The City shall review the map annually for changes. The map and a copy of this chapter will be available to the public at the Haverhill Police Department and on the City’s website.

F. Violations and penalties.

- (1) Any violation of this § 189-16 shall result in: a noncriminal fine not exceeding \$300 for a first violation; a noncriminal fine not exceeding \$300 for each additional violation of this provision. A registered sex offender commits a separate offense for each and every day or violation of this chapter.
- (2) First offense of any violation of this chapter by registered sex offender:

**noncriminal fine of \$300 and notification to offender that he/she has 30 days to move.**

- (3) Any subsequent offense of this § 189-16 by a registered sex offender: noncriminal fine of \$300 and notification to the offender's landlord, parole officer and/or probation officer, and the Commonwealth's Sex Offender Registry Board that the sex offender has violated a municipal ordinance.**



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MUNICIPAL ORDINANCE

CHAPTER 189

AN ORDINANCE RELATING TO SEX OFFENDERS

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 189 of the Code of the City of Haverhill, as amended, being and is hereby further amended by adding the following:

§ 189-16 Sex Offenders

A. Findings and purpose.

- (1) The City of Haverhill recognizes that it has a compelling interest in protecting children from the threat of sexual abuse;
- (2) Due to a child's vulnerability, the City Council is compelled to take a protective role by adopting laws that are designed to protect the City's children from registered sex offenders;
- (3) Registered sex offenders continue to reside in direct proximity to public and private schools;
- (4) Without adequate protective ordinances at the local level, registered sex offenders will continue to move to buildings, domiciles or residences in proximity to schools; and
- (5) The City Council wishes to protect children in the education environment.

B. Intent and scope.

- (1) The City Council finds that sex offenders pose a significant threat to the health and safety of the community and especially to children, whose age and inexperience make them particularly vulnerable to the heinous and reprehensible acts of these offenders.

- (2) The rate of recidivism among sex offenders is high. Limiting the frequency of contact between registered sex offenders and areas where children are likely to congregate reduces the opportunity and temptation, and can reduce the risk of repeated acts against children.
- (3) After careful consideration, the City Council finds that this legislation is the most narrowly tailored means of limiting, to the fullest extent possible, the opportunity for registered sex offenders to approach or otherwise come in contact with children in places where children would naturally congregate, and that the protection of the health and safety of our children is a compelling governmental interest.
- (4) It is the intent of this § 189-16 to serve and to protect the City's compelling interest to promote, protect, and Improve the health, safety, and welfare of the citizens of the City by creating areas around locations where children regularly congregate in concentrated numbers wherein certain registered sex offenders are prohibited from loitering and establishing temporary or permanent residence.
- (5) By the enactment of this or any other legislation, the City Council understands that it cannot remove the threat posed to or guarantee the safety of children, or assure the public that registered sex offenders will comply with the mandates of this § 189-16. This § 189-16 is intended to create a civil, nonpunitive regulatory scheme in order to protect children to the extent possible under the circumstances and not as a punitive measure of any kind.
- (6) Registered sex offenders pose a clear threat to the children residing or visiting in the community. Because registered sex offenders are more likely than any other type of offender to re-offend for another sexual offense, the City Council of the City of Haverhill desires to impose safety precautions in furtherance of the goal of protecting the children. The purpose of this chapter is to reduce the potential risk of harm to children of the community by impacting the ability for registered sex offenders to be in contact with unsuspecting children in locations that are primarily designed for use by or are primarily used by children, namely, the grounds of a public or private school for children, a park, or other private or public recreational facility. The City of Haverhill desires to add location restrictions to such offenders where the state law is silent.
- (7) The City of Haverhill does not intend for this § 189-16 to affect a wholesale displacement of sex offenders from their residences.

#### C. Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**CHILD or CHILDREN** — Persons under 18 years of age.

**ESTABLISHING A RESIDENCE** — To set up or bring into being a dwelling place or an abode where a person sleeps, which may include more than one location, and may be temporary, mobile or transitory, or by means of purchasing real property or entering into a lease or rental agreement for real property (including a renewal or extension of a prior agreement whether through written execution or automatic renewal).

**PARK** — Includes active and passive public land designated for recreational or athletic use by the City of Haverhill, the Commonwealth of Massachusetts, or other governmental subdivision, and located within the City of Haverhill.

**PERMANENT RESIDENCE** — A place where a person lives, abides, lodges, or resides for 14 or more consecutive days.

**RECREATIONAL FACILITY** — Includes, but is not limited to, a playground, a forest preserve, conservation area, jogging trail or running track, hiking trail, beach, water park, wading pool, soccer field, baseball field, football field, basketball court, or hockey rink.

**REGISTERED SEX OFFENDER** — Any person required to register as a sex offender pursuant to G.L. c. 6, § 178C, who is finally classified as a Level 2 or Level 3 offender pursuant to the guidelines of the Sex Offender Registry Board, and who has committed a sex offense against a child.

**SCHOOL** — Any public or private educational facility that provides educational instruction to children in grades Kindergarten through 12.

**SEX OFFENDER and SEX OFFENSE** — Shall have the same meaning as provided for in G.L. c. 6, § 178C.

**TEMPORARY RESIDENCE** — A place where a person lives, abides, lodges, or resides for a period of less than 14 consecutive days or 14 days in the aggregate during any calendar year, which is not the person's permanent address or place where the person routinely lives, abides, lodges, or resides and which is not the person's permanent residence; but "temporary residence" shall not include residence at a hospital or other acute care medical facility for fewer than 14 consecutive days or 14 days in the aggregate during any calendar year.

**D. Residency Restrictions**

- (1) Prohibition. A registered sex offender is prohibited from establishing a permanent residence or temporary residence within 1000 feet of any school.
- (2) Evidentiary matters; measurements. For purposes of determining the minimum distance separation, the distance shall be measured by following a straight line

from the outer property line of the permanent or temporary residence to the nearest outer property line of any school.

- (3) Exceptions. A registered sex offender residing within 1000 feet of any school does not commit a violation of this section if any of the following apply:
- a. The registered sex offender established the permanent residence prior to the effective date of this chapter, and:
    - i. Permanent residence was established by purchasing the real property where the residence is established; or
    - ii. Permanent residence was established through a valid, fixed-term, written lease or rental agreement, executed prior to the effective date of this chapter, the term of which has not yet expired.
  - b. The registered sex offender is a minor.
  - c. The school within 1000 feet of the registered sex offender's permanent residence was opened after the registered sex offender established the permanent residence.

~~(4) Notice to move. A registered sex offender who resides on a permanent or temporary basis within 1000 feet of any school shall be in violation of this section and shall, within 30 days of receipt of written notice of the registered sex offender's noncompliance with this chapter, move from said location to a new location, but said location may not be within 1000 feet of any school. It shall constitute a separate violation for each day beyond the 30 days the registered sex offender continues to reside within 1000 feet of any school. Furthermore, it shall be a violation each day that a registered sex offender shall move from one location in the City to another that is within 1000 feet of any school.~~

## E. Child Safety Zones

### (1) Prohibitions.

- a. A registered sex offender is prohibited from entering upon the premises of a school unless previously authorized specifically in writing by the school administration.
- ~~b. A registered sex offender shall not enter a park or any other private or public recreational facility when children are present and approach, contact, or communicate with any child present, unless the registered sex offender is a parent or guardian of a child present in such park or any other private or public recreational facility.~~
- c. A registered sex offender shall not loiter on or within 1000 feet of any

property on which there is a school, ~~park, or any other private or public recreational facility~~. Under this subsection, “loiter” means to enter or remain on property while having no legitimate purpose therefor or, if a legitimate purpose exists, remaining on that property beyond the time necessary to fulfill that purpose. No person shall be in violation of this subsection unless he or she has first been asked to leave a prohibited location by a person authorized to exclude the registered sex offender from the premises. An authorized person includes, but is not limited to, any law enforcement officer, any owner or manager of the premises, or principal or teacher, if the premises are a school.

**(2) Exceptions.**

- a. The prohibitions defined in this section shall not be construed or enforced so as to prohibit a registered sex offender from exercising his or her right to vote in any federal, state, or municipal election, or from attending any religious service.
- b. The prohibitions defined in this section do not apply to a registered sex offender’s place of residence when such residence is excepted under this § 189-16.

**F. Exemptions.**

- (1) The provisions of this chapter shall not be applicable to registered sex offenders incarcerated in any facilities owned, maintained, and/or operated by the City of Haverhill.

**G. Enforcement; map of prohibited areas.**

- (1) The Haverhill Police Department shall be charged with the enforcement of this chapter.
- (2) A map depicting the prohibited areas shall be created by the City and maintained by the Haverhill Police Department. The City shall review the map annually for changes. The map and a copy of this chapter will be available to the public at the Haverhill Police Department and on the City’s website.

**F. Violations and penalties.**

- (1) Any violation of this § 189-16 shall result in: a noncriminal fine not exceeding \$300 for a first violation; a noncriminal fine not exceeding \$300 for each additional violation of this provision. A registered sex offender commits a separate offense for each and every day or violation of this chapter.
- (2) First offense of any violation of this chapter by registered sex offender:

**noncriminal fine of \$300 and notification to offender that he/she has 30 days to move.**

- (3) Any subsequent offense of this § 189-16 by a registered sex offender: noncriminal fine of \$300 and notification to the offender's landlord, parole officer and/or probation officer, and the Commonwealth's Sex Offender Registry Board that the sex offender has violated a municipal ordinance.**



DOCUMENT

**CITY OF HAVERHILL**

In Municipal Council

ORDERED:

Municipal Ordinance

Chapter

An Ordinance Relating to Sex Offenders, that Chapter 189 of the Code Of the City Of Haverhill, as amend, being and is hereby further amended by adding the following: § 189-16 Sex Offenders

Since this Ordinance exceeds in length eight octavo pages of ordinary book print, in lieu of advertising, it is published by the City Council in a municipal bulletin, placed on file in the City Clerk's Office, and posted on the municipal bulletin in City Hall.

PLACED ON FILE for at least 10 days

Attest:

  
Katlin M. Wright, CMC, City Clerk

## Kaitlin Wright

---

**From:** Kaitlin Wright  
**Sent:** Friday, February 20, 2026 11:02 AM  
**To:** HGLegals@hgazette.com  
**Cc:** Natalia Hernandez; Kaitlin Wright  
**Subject:** Haverhill Ad - Sex Offenders Ordn Amendment  
**Attachments:** Ad - Sex Offenders Amendment.pdf; Ad - Sex Offenders Amendment.pdf

Good morning Christa,

Please run the attached legal ad one (1) time in the Gazette on Thursday February 26<sup>th</sup>.

Thank you! Any questions, I am available at (978) 374-2312.

All my best,

Kaitlin

**Kaitlin M. Wright, CMC**

*City Clerk*

4 Summer Street, Room 118

Office: (978) 374-2312

Fax: (978) 373-8490

[kwright@haverhillma.gov](mailto:kwright@haverhillma.gov)



VERIFY YOUR VOTER STATUS HERE: <https://www.sec.state.ma.us/ovr/>

STATE PRIMARY ELECTION	VOTER REGISTRATION DEADLINE	EARLY VOTING PERIOD	LAST DAY TO REQUEST VOTE BY MAIL BALLOT
September 1, 2026	August 22, 2026	August 22 - August 28, 2026	August 25, 2026



52

**MELINDA E. BARRETT**  
MAYOR



**CITY OF HAVERHILL**  
MASSACHUSETTS

CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
MAYOR@HAVERHILLMA.GOV  
WWW.HAVERHILLMA.GOV

February 24, 2026

**To:** City Council President Timothy J. Jordan and Members of the  
Haverhill City Council

**From:** Mayor Melinda E. Barrett

**Re:** Order to Establish Haverhill 250<sup>th</sup> Celebration Gift Fund

Dear Mr. President and Members of the City Council:

I respectfully submit the attached Order to establish the Haverhill 250<sup>th</sup>  
Celebration Gift Fund for the receipt of gifts to be spent on the City's 250<sup>th</sup>  
Celebration.

I recommend approval

Very truly yours,

**Melinda E. Barrett**  
Mayor



Document

CITY OF HAVERHILL

In Municipal Council

5.2.1

FEB 20 AM 9:04  
MAYOR/CLERK

Ordered:

HAVERHILL 250<sup>TH</sup> CELEBRATION GIFT FUND

At a regularly convened meeting of the City Council of the City of Haverhill, held on the 24<sup>th</sup> day of February, 2026, it was voted as follows:

That the City Council of the City of Haverhill, duly elected, qualified, and acting as such, on behalf of the City votes to establish the Haverhill 250<sup>th</sup> Celebration Gift Fund for the receipt of gifts to be spent on the City's 250<sup>th</sup> Celebration events.

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

PASSED IN COUNCIL: \_\_\_\_\_

A True Record, Attest:

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Kaitlin M. Wright, City Clerk

\_\_\_\_\_  
Melinda E. Barrett, Mayor

5.3

**MELINDA E. BARRETT**  
MAYOR



**CITY OF HAVERHILL**  
**MASSACHUSETTS**

CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
MAYOR@HAVERHILLMA.GOV  
WWW.HAVERHILLMA.GOV

February 20, 2026

**To:** City Council President Timothy J. Jordan and Members of the Haverhill City Council

**From:** Mayor Melinda E. Barrett

**Re:** Order to Enter Into Lease Agreement – Command Vehicle for Fire Dept.

Dear Mr. President and Members of the City Council:

I respectfully submit the attached Order to enter into a lease agreement for the lease/purchase of a Command Vehicle for the Fire Department.

This requires a two-thirds majority vote.

I recommend approval

Very truly yours,

**Melinda E. Barrett**  
Mayor



Document

CITY OF HAVERHILL

In Municipal Council

FEB 20 AM 9:33  
HVCITYCLERK

Ordered:

### Fire Command Vehicle Lease

That the City Council authorizes the Mayor, pursuant to G.L. c. 44 sec. 21C, to enter into a lease agreement for the lease purchase of a 2026 Chevrolet Tahoe for the Fire Department for a period of three years, but in any event not in excess of the useful life of the property to be purchased, to be procured on such terms and conditions as the Mayor deems in the best interest of the City; and to authorize the Mayor to take all actions necessary to administer and implement such agreement.

Approved as to form:

---

City Solicitor

MELINDA E. BARRETT  
MAYOR



CITY OF HAVERHILL  
MASSACHUSETTS

5.4

CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
MAYOR@HAVERHILLMA.GOV  
WWW.HAVERHILLMA.GOV

BB 20 10:33 AM  
CIVIL CLERK

February 20, 2026

To: City Council President Timothy J. Jordan and Members of the  
Haverhill City Council

From: Mayor Melinda E. Barrett

Re: Discuss Continuing Drought Conditions – DPW Director Bob Ward

Dear Mr. President and Members of the City Council:

I wish to introduce DPW Director Bob Ward to discuss continuing drought conditions.

Very truly yours,

  
Melinda E. Barrett  
Mayor



# Haverhill

Office of the City Auditor, Room 106  
Phone: 978-374-2306 Fax: 978-373-8476  
aperkins@cityofhaverhill.com

8.1

February 13, 2026

FEB 19 AM 11:26  
HAUCITYCLERK

To The Honorable City Council

Attached are the revenue and expense reports through January 2026.

For the fifth consecutive month, the city has experienced a consistent decline in local revenue receipts, which are down 12.87% compared to the previous year. When investment earnings are excluded from this calculation, the decline increases to 14%, emphasizing a tightening local economic climate. Although local receipts account for only 8% of the city's total general fund revenue, they are important to highlight as an indicator of the health of our local economy.

Total operating revenue has increased by 4.68% year over year. This growth is primarily driven by property taxes, water charges, and additional Chapter 70 state aid.

As we look ahead to 2027, the Governor's proposed budget features a modest 2.34% increase in Chapter 70 aid. This falls well short of the 7.9% increase that the school department had expected. In monetary terms, this means approximately \$4.5 million less funding than anticipated for the 2027 budget.

The operating budgets are generally on target, except for the costs associated with snow and ice removal this year, which are significantly straining the budget. Currently, the city has a deficit of \$961,393 in the snow and ice account. Due to this deficit and other budget pressures, the Mayor has implemented a freeze on all discretionary spending through the end of the fiscal year.

Upon reviewing the expense report, you will notice that most salary budgets are currently exceeding their year-to-date projections. This overage is primarily due to cost-of-living adjustments (COLAs) and collective bargaining agreements, which have been set aside in a reserve account. These funds will be distributed to the respective departments closer to the end of the year, helping to align salary budgets with initial projections.

Sincerely,

Angel A. Perkins, CPFO, CGA, CFE  
City Auditor & Chief Financial Officer

**City of Haverhill**  
**Revenue Report**  
**Period Ending 1/31/26**

**Year to Year Comparison**

Revenue Source	1/31/2024	1/31/2025	1/31/2026	FY 25 to 26 % Change	FY 25 to 26 \$ Change	FY 24-26 Trendline
Real Estate & Pers Property	\$ 86,540,709	\$ 90,147,000	\$ 96,384,033	6.92% ↑	\$ 6,237,033	
Motor Vehicle Excise	\$ 1,542,012	\$ 1,649,595	\$ 1,449,968	-12.10% ↓	\$ (199,627)	
Meals Excise	\$ 653,664	\$ 656,596	\$ 655,953	-0.10% ↓	\$ (643)	
Hotel/ Room Excise	\$ 202,386	\$ 198,128	\$ 201,655	1.78% ↑	\$ 3,527	
Boat & Other Excise	\$ 8,355	\$ 6,480	\$ 6,924	6.85% ↑	\$ 444	
Cannabis Excise	\$ 567,649	\$ 582,077	\$ 640,705	10.07% ↑	\$ 58,628	
Waste Disposal Facility Program	\$ 1,977,939	\$ 1,615,261	\$ 1,493,671	-7.53% ↓	\$ (121,590)	
PILOT	\$ 21,525	\$ 254,943	\$ 37,933	-85.12% ↓	\$ (217,010)	
Penalties & Interest	\$ 453,237	\$ 336,771	\$ 371,200	10.22% ↑	\$ 34,429	
Fees	\$ 499,649	\$ 544,369	\$ 540,285	-0.75% ↓	\$ (4,084)	
Rentals	\$ 129,793	\$ 142,132	\$ 105,821	-25.55% ↓	\$ (36,311)	
Departmental Revenue	\$ 495,482	\$ 511,451	\$ 323,315	-36.78% ↓	\$ (188,136)	
License & Permits	\$ 1,874,342	\$ 2,001,102	\$ 1,488,118	-25.64% ↓	\$ (512,984)	
Fines & Forefits	\$ 431,159	\$ 351,568	\$ 364,158	3.58% ↑	\$ 12,590	
Investments	\$ 1,302,660	\$ 2,161,976	\$ 1,995,942	-7.68% ↓	\$ (166,034)	
Medicaid Reimbursement	\$ 456,946	\$ 510,826	\$ 545,513	6.79% ↑	\$ 34,687	
*Misc Revenue	\$ 102,647	\$ 228,541	\$ 17,913	-92.16% ↓	\$ (210,628)	
Comm of MA Cherry Sheet	\$ 48,284,877	\$ 59,210,279	\$ 63,113,300	6.59% ↑	\$ 3,903,021	
Wastewater Enterprise Fund	\$ 8,128,171	\$ 8,983,993	\$ 8,905,229	-0.88% ↓	\$ (78,764)	
Water Enterprise Fund	\$ 6,682,318	\$ 7,821,945	\$ 8,639,340	10.45% ↑	\$ 817,395	
Other GF Rev - Trnsf From Sp Rev & Free Cash		\$ 990,257		-100.00% ↓	\$ (990,257)	
Total Revenue	\$ 160,355,520	\$ 178,905,290	\$ 187,280,976	4.68% ↑	\$ 8,375,686	
Total Revenue without Enterprise Funds	\$ 145,545,031	\$ 162,099,352	\$ 169,736,407	4.71% ↑	\$ 7,637,055	
Total Local Receipts	\$ 10,719,445	\$ 11,751,816	\$ 10,239,074	-12.87% ↓	\$ (1,512,742)	
Total Local Receipts not including Investments	\$ 9,416,785	\$ 9,589,840	\$ 8,243,132	-14.04% ↓	\$ (1,346,708)	

**City of Haverhill**  
**Revenue Report**  
**Period Ending 1/31/26**

Collections as a Percent of Budget						
Revenue Source	FY 26 Estimated Revenue	FY 26 Actual Revenue Collections	\$ Surplus / (Deficit)	YTD Benchmark	Actual Revenue Benchmark	
Real Estate & Pers Property	\$ 140,323,000	\$ 96,384,033	\$ (43,938,967)	50%	68.7%	
Motor Vehicle Excise	\$ 8,391,880	\$ 1,449,968	\$ (6,941,912)	25%	17.3%	
Meals Excise	\$ 1,259,948	\$ 655,953	\$ (603,995)	50%	52.1%	
Hotel/Room Excise	\$ 309,000	\$ 201,655	\$ (107,345)	50%	65.3%	
Boat & Other Excise	\$ 9,476	\$ 6,924	\$ (2,552)	50%	73.1%	
Cannabis Excise	\$ 1,133,040	\$ 640,705	\$ (492,335)	50%	56.5%	
Waste Disposal Facility Program	\$ 2,740,175	\$ 1,493,671	\$ (1,246,504)	58%	54.5%	
PILOT	\$ 274,189	\$ 37,933	\$ (236,256)	25%	13.8%	
Penalties & Interest	\$ 742,361	\$ 371,200	\$ (371,161)	58%	50.0%	
Fees	\$ 962,671	\$ 540,285	\$ (422,386)	58%	56.1%	
Rentals	\$ 198,450	\$ 105,821	\$ (92,629)	58%	53.3%	
Departmental Revenue	\$ 658,253	\$ 323,315	\$ (334,938)	58%	49.1%	
License & Permits	\$ 2,522,301	\$ 1,488,118	\$ (1,034,183)	58%	59.0%	
Fines & Forefits	\$ 628,275	\$ 364,158	\$ (264,117)	58%	58.0%	
Investments	\$ 1,976,990	\$ 1,995,942	\$ 18,952	58%	101.0%	
Medicaid Reimbursement	\$ 735,000	\$ 545,513	\$ (189,487)	58%	74.2%	
*Misc Revenue		\$ 17,913	\$ 17,913	58%	100.0%	
Comm of MA Cherry Sheet	\$ 108,005,748	\$ 63,113,300	\$ (44,892,448)	58%	58.4%	
Wastewater Enterprise Fund	\$ 16,809,453	\$ 8,905,229	\$ (7,904,224)	58%	53.0%	
Water Enterprise Fund	\$ 14,146,881	\$ 8,639,340	\$ (5,507,541)	58%	61.1%	
Other GF Rev - Trnsf From Sp Rev & Free Cash	\$ 6,250,867	\$ -	\$ (6,250,867)	0%	0.0%	
Total	\$ 308,077,958	\$ 187,280,976	\$ (120,796,982)	52%	60.8%	
Estimated General Fund Revenue	\$ 277,121,624	\$ 169,736,407	\$ (107,385,217)	52%	61.2%	
Estimated Local Receipts	\$ 22,542,009	\$ 10,239,074	\$ (12,302,935)	45%	45.4%	

Year to Date Benchmark

58.33%

City Department	Budget (YTD)	Expended (YTD)	Unexpended (YTD)	% Expended
Council Salaries	\$ 234,279	\$ 139,707	\$ 94,572	59.63%
Council Expenses	\$ 8,100	\$ 1,142	\$ 6,958	14.10%
Mayor Salaries	\$ 432,688	\$ 270,700	\$ 161,988	62.56%
Mayor Expenses	\$ 210,250	\$ 108,418	\$ 101,832	51.57%
Auditor's Office Salaries	\$ 377,209	\$ 214,361	\$ 162,848	56.83%
Auditor's Office Expenses	\$ 139,381	\$ 20,238	\$ 119,143	14.52%
Assessors Salaries	\$ 297,788	\$ 183,481	\$ 114,307	61.61%
Assessors Expenses	\$ 179,215	\$ 18,349	\$ 160,866	10.24%
Treasurer/Collector Salaries	\$ 469,208	\$ 231,797	\$ 237,411	49.40%
Treasurer/Collector Expenses	\$ 251,300	\$ 118,560	\$ 132,740	47.18%
Constituent Services Salaries	\$ 109,442	\$ 64,903	\$ 44,539	59.30%
Constituent Services Expenses	\$ 15,500	\$ -	\$ 15,500	0.00%
Purchasing Salaries	\$ 100,547	\$ 61,750	\$ 38,797	61.41%
Purchasing Expenses	\$ 12,050	\$ 4,242	\$ 7,808	35.20%
Law Department Salaries	\$ 46,818	\$ 27,857	\$ 18,961	59.50%
Law Department Legal	\$ 536,000	\$ 156,372	\$ 379,628	29.17%
Human Resources Salaries	\$ 318,404	\$ 194,995	\$ 123,409	61.24%
Human Resources Expenses	\$ 147,550	\$ 79,830	\$ 67,720	54.10%
MIS Salaries	\$ 160,000	\$ 121,906	\$ 38,094	76.19%
MIS Expenses	\$ 638,134	\$ 416,178	\$ 221,956	65.22%
MIS Capital	\$ 50,000	\$ 32,776	\$ 17,224	65.55%
City Clerk Salaries	\$ 594,766	\$ 336,769	\$ 257,997	56.62%
City Clerk Expenses	\$ 171,380	\$ 101,505	\$ 69,875	59.23%
<b>TOTAL GENERAL GOVERNMENT</b>	<b>\$ 5,500,009</b>	<b>\$ 2,905,836</b>	<b>\$ 2,594,173</b>	<b>52.8%</b>
Building Maint. Salaries	\$ 79,127	\$ 37,615	\$ 41,512	47.54%
Building Maint. Expenses	\$ 298,500	\$ 124,666	\$ 173,834	41.76%
Inspectional & Health Services Salaries	\$ 1,205,528	\$ 718,511	\$ 487,017	59.60%
Inspectional & Health Services Expenses	\$ 46,950	\$ 20,319	\$ 26,631	43.28%
Public Health Salaries	\$ 247,498	\$ 158,696	\$ 88,802	64.12%
Public Health Expenses	\$ 9,000	\$ 801	\$ 8,199	8.90%
Economic Development Salaries	\$ 291,516	\$ 161,110	\$ 130,406	55.27%
Economic Development Expenses	\$ 56,162	\$ 6,750	\$ 49,412	12.02%
<b>TOTAL COMMUNITY &amp; ECONOMIC DEVELOPMENT</b>	<b>\$ 2,234,281</b>	<b>\$ 1,228,468</b>	<b>\$ 1,005,813</b>	<b>55.0%</b>
Police Salaries	\$ 14,400,574	\$ 9,404,192	\$ 4,996,382	65.30%
Police Expenses	\$ 1,812,461	\$ 863,856	\$ 948,605	47.66%
Police Capital	\$ 353,000	\$ 334,623	\$ 18,377	94.79%

Expense Report as of 1/31/2026

City Department	Budget (YTD)	Expended (YTD)	Unexpended (YTD)	% Expended
Fire Salaries	\$ 13,776,803	\$ 8,810,678	\$ 4,966,125	63.95%
Fire Expenses	\$ 1,029,809	\$ 474,474	\$ 555,335	46.07%
Fire Capital	\$ 3,500	\$ -	\$ 3,500	0.00%
<b>TOTAL PUBLIC SAFETY</b>	<b>\$ 31,376,147</b>	<b>\$ 19,887,823</b>	<b>\$ 11,488,324</b>	<b>63.39%</b>
Whittier Regional School Assessment	\$ 8,704,320	\$ 4,352,160	\$ 4,352,160	50.00%
North Shore Essex Tech. Assessment	\$ 664,063	\$ 372,887	\$ 291,176	56.15%
School Other Funding	\$ 15,000	\$ -	\$ 15,000	0.00%
School Department	\$ 133,801,660	\$ 62,278,853	\$ 71,522,807	46.55%
<b>TOTAL EDUCATION</b>	<b>\$ 143,185,043</b>	<b>\$ 67,003,900</b>	<b>\$ 76,181,143</b>	<b>46.8%</b>
Public Works Administration Salaries	\$ 59,607	\$ 35,901	\$ 23,706	60.23%
Public Works Administration Expenses	\$ 44,804	\$ 13,374	\$ 31,430	29.85%
Public Works Highways Salaries	\$ 1,404,280	\$ 794,556	\$ 609,724	56.58%
Public Works Highways Expenses	\$ 840,655	\$ 444,065	\$ 396,590	52.82%
Public Works Highways Capital	\$ 112,000	\$ 19,510	\$ 92,490	17.42%
Public Works Solid Waste/Recycling Salaries	\$ 218,185	\$ 127,485	\$ 90,700	58.43%
Public Works Solid Waste/Recycling Expenses	\$ 5,985,808	\$ 2,888,354	\$ 3,097,454	48.25%
Public Works Parking Area Salaries	\$ 51,726	\$ 31,079	\$ 20,647	60.08%
Public Works Parking Area Expenses	\$ 369,101	\$ 180,955	\$ 188,146	49.03%
Public Works Street Marking Expenses	\$ 116,883	\$ 105,458	\$ 11,425	90.23%
Public Works Fleet Maint. Salaries	\$ 274,157	\$ 118,761	\$ 155,396	43.32%
Public Works Fleet Maint. Expenses	\$ 49,080	\$ 16,661	\$ 32,419	33.95%
Public Works Park Dept. Salaries	\$ 584,634	\$ 295,945	\$ 288,689	50.62%
Public Works Park Dept. Expenses	\$ 332,850	\$ 154,068	\$ 178,782	46.29%
Public Works Street Lighting Expenses	\$ 725,800	\$ 408,542	\$ 317,258	56.29%
Public Works Snow & Ice Removal Salaries	\$ 229,330	\$ 148,386	\$ 80,944	64.70%
Public Works Snow & Ice Removal Expenses	\$ 980,670	\$ 1,067,479	\$ (86,809)	108.85%
<b>TOTAL PUBLIC WORKS</b>	<b>\$ 12,379,570</b>	<b>\$ 6,850,579</b>	<b>\$ 5,528,991</b>	<b>55.3%</b>
Citizens Center Salaries	\$ 303,619	\$ 210,264	\$ 93,355	69.25%
Citizens Center Expenses	\$ 188,010	\$ 76,963	\$ 111,047	40.94%
Veterans Services Salaries	\$ 115,545	\$ 70,497	\$ 45,048	61.01%
Veterans Services Expenses	\$ 558,000	\$ 237,361	\$ 320,639	42.54%
Senior Services Salaries	\$ 13,500	\$ 6,134	\$ 7,366	45.44%
Senior Services Expenses	\$ 2,700	\$ -	\$ 2,700	0.00%
Stadium Commission	\$ 59,000	\$ 47,447	\$ 11,553	80.42%
Recreation Salaries	\$ 193,129	\$ 164,276	\$ 28,853	85.06%
Recreation Expenses	\$ 85,000	\$ 23,368	\$ 61,632	27.49%
Public Library Salaries	\$ 1,665,862	\$ 980,031	\$ 685,831	58.83%
Public Library Expenses	\$ 293,585	\$ 201,501	\$ 92,084	68.63%

City Department	Budget (YTD)	Expended (YTD)	Unexpended (YTD)	% Expended
<b>TOTAL HUMAN SERVICES</b>	\$ 3,477,950	\$ 2,017,842	\$ 1,460,108	58.0%
Debt Service	\$ 9,491,008	\$ 6,411,054	\$ 3,079,954	67.55%
<b>TOTAL DEBT SERVICE</b>	\$ 9,491,008	\$ 6,411,054	\$ 3,079,954	67.5%
Retirement Fund	\$ 22,967,281	\$ 22,967,281	\$ -	100.00%
Unemployment Compensation	\$ 230,000	\$ 86,877	\$ 143,123	37.77%
Group Insurance	\$ 29,765,000	\$ 16,078,190	\$ 13,686,810	54.02%
Payroll Taxes (FICA/Medicare)	\$ 2,103,796	\$ 1,195,234	\$ 908,562	56.81%
Workers Compensation	\$ 915,000	\$ 427,588	\$ 487,412	46.73%
Injured on Duty Claims	\$ 230,967	\$ 178,414	\$ 52,553	77.25%
Sick Leave Bank	\$ 126,000	\$ 403,249	\$ (277,249)	320.04%
Vacational Buyback	\$ 55,000	\$ 59,315	\$ (4,315)	107.85%
Retiree Medical Claims	\$ 121,000	\$ 31,525	\$ 89,475	26.05%
<b>TOTAL EMPLOYEE BENEFITS</b>	\$ 56,514,044	\$ 41,427,673	\$ 15,086,371	73.3%
General Liability Insurance	\$ 1,303,678	\$ 1,256,819	\$ 46,859	96.41%
Salary Reserve	\$ 1,080,000	\$ 20,311	\$ 1,059,689	1.88%
Budget Reserve	\$ 805,671	\$ 119,961	\$ 685,710	14.89%
State Assessments (Cherry Sheets)	\$ 9,524,223	\$ 5,738,174	\$ 3,786,049	60.25%
Reserve for Abatement & Exemption (Overlay)	\$ 250,000	\$ 250,000	\$ -	100.00%
<b>TOTAL OTHER CITY EXPENSES</b>	\$ 12,963,572	\$ 7,385,266	\$ 5,578,306	57.0%
<b>TOTAL GENERAL FUND</b>	\$ 277,121,624	\$ 155,118,440	\$ 122,003,184	56.0%

Water Department Salaries	\$ 3,780,009	\$ 2,225,426	\$ 1,554,583	58.87%
Water Department Expenses	\$ 9,318,378	\$ 6,349,074	\$ 2,969,304	68.13%
Water Department Capital	\$ 300,000	\$ 221,788	\$ 78,212	73.93%
Water Department Indirect	\$ 248,494	\$ 248,494	\$ -	100.00%
<b>TOTAL WATER DEPARTMENT</b>	\$ 13,646,881	\$ 9,044,782	\$ 4,602,099	66.3%
Wastewater Salaries	\$ 3,089,104	\$ 1,535,114	\$ 1,553,990	49.69%
Wastewater Expenses	\$ 11,894,907	\$ 6,783,980	\$ 5,110,927	57.03%
Wastewater Capital	\$ 1,127,000	\$ 80,838	\$ 1,046,162	7.17%
Wastewater Indirect	\$ 698,442	\$ 698,442	\$ -	100.00%
<b>TOTAL WASTEWATER DEPARTMENT</b>	\$ 16,809,453	\$ 9,098,374	\$ 7,711,079	54.1%

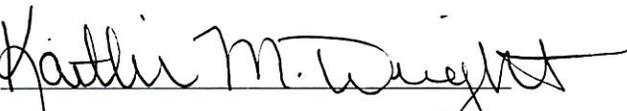
**Document # 7-B**

Petition from National Grid and Verizon, requesting a joint pole location for Golden St  
WR# 31232805

**IN CITY COUNCIL:** January 27, 2026

**11 YEAS, 0 NAYS, 0 ABSENT**

**Hearing Scheduled for February 24, 2026**

Attest:   
Kaitlin M. Wright, CMC  
City Clerk

12.2



December 10, 2025

WR# 31232805 – Golden Street

To the City of Haverhill, Massachusetts

JAN 20 PM 1:37  
HAVERHILL CITY CLERK

To Whom It May Concern:

Enclosed please find a petition for NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit, please contact:

Veasna Eang (978) 995-4819 or [veasna.eang@nationalgrid.com](mailto:veasna.eang@nationalgrid.com)

Please notify National Grid's Jennifer Iannalfo of the **hearing date / time** to [Jennifer.Iannalfo@nationalgrid.com](mailto:Jennifer.Iannalfo@nationalgrid.com)

If this petition meets with your approval, please return an executed copy to each of the above-named Companies.

National Grid: Jennifer Iannalfo, 1101 Turnpike Street; North Andover, MA 01845.

Very truly yours,

*Dave Johnson*

Dave Johnson  
Supervisor, Distribution Design

Enclosures

Questions contact - Veasna Eang - 978-995-4819 or [Veasna.eang@nationalgrid.com](mailto:Veasna.eang@nationalgrid.com)

**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

North Andover, Massachusetts

To The City Council  
Of Haverhill, Massachusetts

Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Golden Street - National Grid to install 2 JO poles on Golden Street beginning at a point approximately 70 feet Northeast of the centerline of the intersection of Washington Street and Warren Road and continuing ~ 15 feet in an East direction. National Grid to install 2 JO poles and 2 anchor/guys. JO pole P47-1 will be located +/- 70' Northeast and +/- 15' East of the centerline of Groveland Street and Golden Street. JO pole P47-2 will be located +/- 220' Northeast and +/- 15' East of the centerline of Groveland Street and Golden Street. Pole 47-1 & 47-2 to be located in the public way on Golden Street. One anchor and guy to be set ~4' South of pole 47, and one anchor and guy to be set ~10' North of pole 47-2, Haverhill, MA.

Location approximately as shown on plan attached.

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked - Golden Street - Haverhill, Massachusetts.

**No.# 31232805**

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

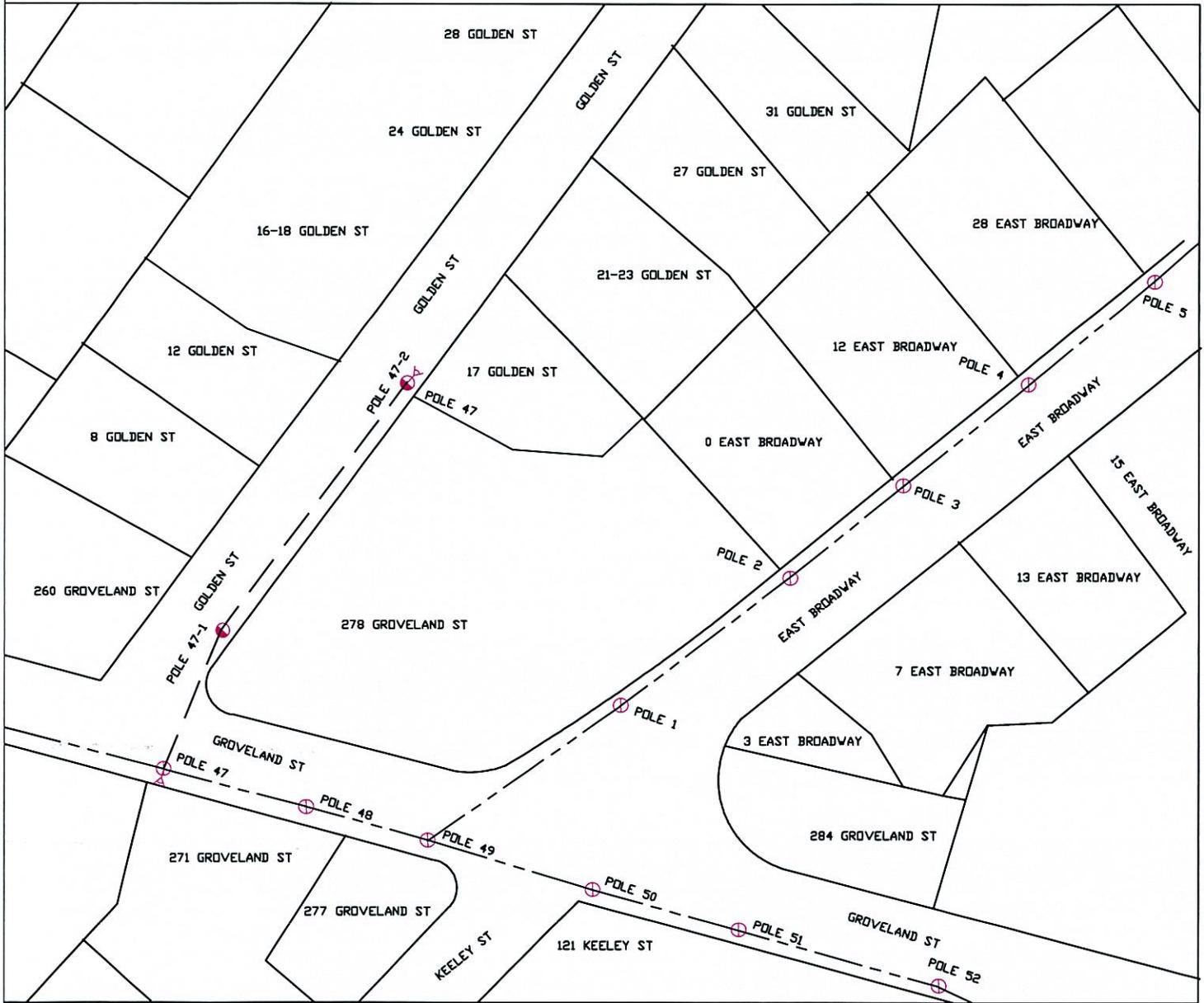
Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a  
NATIONAL GRID *Dave Johnson*

BY \_\_\_\_\_  
Engineering Department

VERIZON NEW ENGLAND, INC.

BY *[Signature]* \_\_\_\_\_  
Manager / Right of Way



## JOINT OWNED POLE PETITION

 Proposed J.O. Pole Locations

 Existing J.O. Pole Locations

 Existing Overhead Lines

 Proposed Overhead Lines

 Proposed Anchor and Guy

Nationalgrid to Install 2 J.O. poles and 2 Anchor/guys. J.O. pole 47-1 will be located approximately +/- 70' northeast and +/- 15' east of the centerline of Groveland St and Golden St. J.O. pole 47-2 to be located +/- 220' north-east and +/- 15 east of the centerline of Groveland St and Golden St. Poles 47-1 and 47-2 to be located in the public way on Golden St. One anchor and guy to be set 4' south of pole 47, and one anchor and guy to be set 10' north of pole 47-2.

DISTANCES ARE APPROXIMATE

**nationalgrid**  
And  
Verizon New England, Inc.

Date: 11/14/2025

Work Request Number: WR#31232805

To Accompany Petition Dated:

To The: City  Haverhill

For Proposed:  poles Pole: 47-1 Location: Golden St  
47-2

December 10, 2025

Veasna Eang – 978-995-4819 or [Veasna.eang@nationalgrid.com](mailto:Veasna.eang@nationalgrid.com)

## **ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

To the City Council Of Haverhill, Massachusetts

Notice having been given and public hearing held, as provided by law, IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 15th day of November, 2025.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Golden Street - Haverhill, Massachusetts.

**No.# 31232805**

Filed with this order:

There may be attached to said poles by Massachusetts Electric Company d/b/a NATIONAL GRID and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Golden Street - National Grid to install 2 JO poles on Golden Street beginning at a point approximately 70 feet Northeast of the centerline of the intersection of Washington Street and Warren Road and continuing approximately 15 feet in an East direction. National Grid to install 2 JO poles and 2 anchor/guys. JO pole P47-1 will be located +/- 70' Northeast and +/- 15' East of the centerline of Groveland Street and Golden Street. JO pole P47-2 will be located +/- 220' Northeast and +/- 15' East of the centerline of Groveland Street and Golden Street. Pole 47-1 & 47-2 to be located in the public way on Golden Street. One anchor and guy to be set ~4' South of pole 47, and one anchor and guy to be set ~10' North of pole 47-2, Haverhill, MA.

Also, for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the  
Of the City/Town of \_\_\_\_\_, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ .

\_\_\_\_\_  
City/Town Clerk.  
Massachusetts 20\_\_ .

Received and entered in the records of location orders of the City/Town of \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:  
\_\_\_\_\_  
City/Town Clerk

I hereby certify that on \_\_\_\_\_ 20\_\_ , at \_\_\_\_\_ o'clock, M  
At \_\_\_\_\_ a public hearing was held on the petition of  
Massachusetts Electric Company d/b/a NATIONAL GRID and VERIZON NEW ENGLAND,  
INC. for permission to erect the poles, wires, and fixtures described in the order herewith recorded,  
and that we mailed at least seven days before said hearing a written notice of the time and place of  
said hearing to each of the owners of real estate (as determined by the last preceding assessment  
for taxation) along the ways or parts of ways upon which the Company is permitted to erect  
Poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

\_\_\_\_\_  
City/Town Clerk.

.....  
.....  
.....  
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of  
hearing with notice adopted by the \_\_\_\_\_ of the City of \_\_\_\_\_  
Massachusetts, on the \_\_\_\_\_ day of 20\_\_ and recorded with the records of location  
orders of the said City, Book \_\_\_\_\_, and Page \_\_\_\_\_. This certified copy is made under  
the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:  
\_\_\_\_\_  
City/Town Clerk

424-139-1  
BRANDOLINI ROBERT M  
8 GOLDEN ST  
HAVERHILL, MA 01830



424-139-1B  
GEMELLI PAULINE  
260 GROVELAND ST  
HAVERHILL, MA 01830



424-139-2  
MOSES BRIANNA  
12 GOLDEN ST  
HAVERHILL, MA 01830



424-139-3A  
THE LYNETTE PUELLO LIVING TRUS  
16 GOLDEN ST, UNIT A  
HAVERHILL, MA 01830



424-139-3B  
SIMMONS ROBIN-ETAL  
18 GOLDEN ST  
HAVERHILL, MA 01830



424-152-1  
RIVERSIDE MEMORIAL CHURCH  
278 GROVELAND ST  
HAVERHILL, MA 01830



424-152-3-21  
JASIM ALI K-ETAL  
21 GOLDEN ST  
HAVERHILL, MA 01830



424-152-3-23  
JASIM KHWASTY A-ETALI  
23 GOLDEN ST  
HAVERHILL, MA 01830



~~4 Summer St~~  
City of Haverhill  
4 Summer St



	A	B	C	D	E	F	G	H	I
	ParcelID	StreetNum	StreetName	LocCity	Owner1	BillingAddress	City	State	Zip
1	424-139-1	8	GOLDEN ST	HAVRHILL	BRANDOLINI ROBERT M	8 GOLDEN ST	HAVRHILL	MA	01830
3	424-139-1B	260	GROVELAND ST	HAVRHILL	GEMELLI PAULINE	260 GROVELAND ST	HAVRHILL	MA	01830
4	424-139-2	12	GOLDEN ST	HAVRHILL	MOSES BRIANNA	12 GOLDEN ST	HAVRHILL	MA	01830
5	424-139-3A	16	GOLDEN ST	HAVRHILL	THE LYNETTE PUELLO LIVING TRUS	16 GOLDEN ST, UNIT A	HAVRHILL	MA	01830
6	424-139-3B	18	GOLDEN ST	HAVRHILL	SIMMONS ROBIN-ETAL	18 GOLDEN ST	HAVRHILL	MA	01830
7	424-152-1	278	GROVELAND ST	HAVRHILL	RIVERSIDE MEMORIAL CHURCH	278 GROVELAND ST	HAVRHILL	MA	01830
8	424-152-3-21	21	GOLDEN ST	HAVRHILL	JASIM ALI K-ETAL	21 GOLDEN ST	HAVRHILL	MA	01830
9	424-152-3-23	23	GOLDEN ST	HAVRHILL	JASIM KHWASTY A-ETALI	23 GOLDEN ST	HAVRHILL	MA	01830

10.1

**Document # 97**

JT Couch for Creek Brook CML requests to store 19,000 gallons of Class IIIB edible shortening oil and 5,000 gallons of Class II Diesel Fuel in above ground storage tanks at 30 Creek Brook Dr

*Hearing continued from December 16, 2025*

*Related communication from applicant requesting continuance to February 3, 2026*

**IN CITY COUNCIL: January 13, 2026**

**CONTINUED TO: February 3, 2026**

**10 YEAS, 0 NAYS, 1 ABSENT**

Attest: Kaitlin M. Wright  
Kaitlin M. Wright, CMC  
City Clerk

IN CITY COUNCIL: FEBRUARY 3 2026  
CONTINUED TO: FEBRUARY 24 2026

ATTEST: Kaitlin M. Wright  
KAITLIN M. WRIGHT, CMC  
CITY CLERK

Document # 97

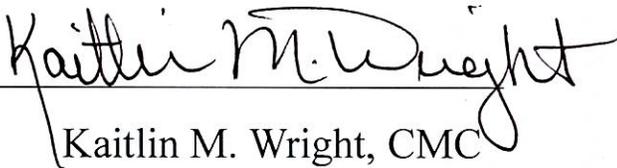
10.1

Doc 97 - SPFL-25-3; JT Couch for *Creek Brook CML* requesting to store 19,000 gallons of Class IIIB edible shortening oil in an above ground storage tank and 12,700 gallons of Class II diesel fuel in above ground storage tanks

**IN CITY COUNCIL: November 18, 2025**

**11 Yeas, 0 Nays,**

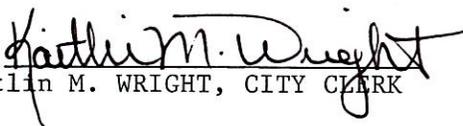
**HEARING SCHEDULED FOR DECEMBER 16, 2025**

Attest:   
Kaitlin M. Wright, CMC  
City Clerk

IN CITY COUNCIL: DECEMBER 16, 2025

HEARING CONTINUED TO JANUARY 13, 2025 WITH REQUIREMENT THAT APPLICANT CONNECT WITH INSPECTIONAL SERVICES AND BOARD OF HEALTH TO HAVE AIR QUALITY OF PLANT REVIEWED

7 YEAS. 0 NAYS, 4 ABSENT

ATTEST:   
kaitlin M. WRIGHT, CITY CLERK

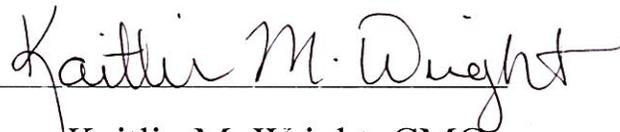
**Document #97**

SPFL-25-3; JT Couch for *Creek Brook CML* requesting to store 19,000 gallons of Class IIIB edible shortening oil and 5,000 gallons of Class II Diesel Fuel in above ground storage tanks at 30 Creek Brook Dr

**IN CITY COUNCIL: October 28, 2025**

**CONT'D TO DECEMBER 16 2025**

**10 YEAS, 0 NAYS, 1 ABSENT,**

Attest:   
Kaitlin M. Wright, CMC  
City Clerk

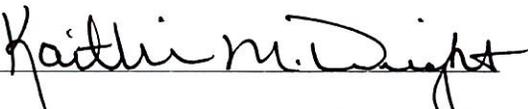
**Document # 97**

JT Couch for Creek Brook CML requesting to store 19,000 gallons of Class 3B edible shortening oil in an above ground storage tank at 30 Creek Brook Dr

IN CITY COUNCIL: SEPTEMBER 16, 2025

**HEARING SCHEDULED FOR: OCTOBER 28, 2025**

**11 YEAS, 0 NAYS, 0 ABSENT, 0 ABSTENTATION**

Attest:   
Kaitlin M. Wright, CMC  
City Clerk

## Kaitlin Wright

---

**From:** JT <JT@creekbrookcml.com>  
**Sent:** Wednesday, February 4, 2026 11:44 AM  
**To:** Kaitlin Wright  
**Cc:** Lori Robertson  
**Subject:** Re: Continuance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Warning! External Email. Exercise caution when opening attachments or clicking on any links.**

Hi Kaitlin,

We would prefer a meeting with full attendance and would request the March 17<sup>th</sup> meeting please.

Thank you!

Warm Regards,  
JT Couch  
Director of Engineering and Maintenance  
Creek Brook CML  
30 Creek Brook Drive | Haverhill, MA 01832  
O: (978)-207-4005  
M: (978)-945-1997  
Mail to: jt@creekbrookcml.com  
www.creekbrookcml.com



---

**From:** Kaitlin Wright <kwright@haverhillma.gov>  
**Sent:** Wednesday, February 4, 2026 10:19 AM  
**To:** JT <JT@creekbrookcml.com>  
**Cc:** Lori Robertson <lrobertson@haverhillma.gov>  
**Subject:** RE: Continuance

JT,

The council voted last night to continue your hearing to the requested date of February 24<sup>th</sup>.

I did want to let you know that we have two councilors who have indicated that they will be unable to attend the meeting on the 24<sup>th</sup> – there may be one additional councilor unable to attend (TBD) as they are recovering from surgery.



## Kaitlin Wright

---

**From:** JT <JT@creekbrookcml.com>  
**Sent:** Tuesday, December 23, 2025 9:57 AM  
**To:** Kaitlin Wright  
**Subject:** Continuance

10.2

**Warning! External Email. Exercise caution when opening attachments or clicking on any links.**

Hi Kaitlin,

We're looking to get a continuance to the February 3<sup>rd</sup> meeting please, because of the holidays we would like more time.

Thank you,  
JT Couch  
Director of Engineering and Maintenance  
Creek Brook CML  
30 Creek Brook Drive | Haverhill, MA 01832  
O: (978)-207-4005  
M: (978)-945-1997  
Mail to: jt@creekbrookcml.com  
www.creekbrookcml.com



DEC 23 AM 9:59  
HAVCITYCLERK



**LP-gas** (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: N/A

List sizes and capacities of all aboveground containers used for storage: \_\_\_\_\_

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: N/A

List sizes and capacities of all underground containers used for storage: \_\_\_\_\_

Total aggregate quantity of all LP-gas to be stored: N/A

**Fireworks** (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: N/A Type/class of magazine used for storage: N/A

❖ Maximum amount (in pounds) of Class 1.4G: N/A Type/class of magazine used for storage: N/A

❖ Maximum amount (in pounds) of Class 1.4: N/A Type/class of magazine used for storage: N/A

Total aggregate quantity of all classes of fireworks to be stored: \_\_\_\_\_

**Explosives** (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: N/A Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.2: N/A Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.3: N/A Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4: N/A Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.5: N/A Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.6: N/A Number of magazines used for storage: \_\_\_\_\_

I, Joseph Theodore Couch IV, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature Joseph Theodore Couch IV Date 11/14/2025 Name Joseph Theodore Couch IV

PLEASE NOTE THAT ONLY APPLICATIONS WITH ORIGINAL WET SIGNATURES WILL BE ACCEPTED. PHOTOCOPIES OF APPLICATIONS WILL NOT BE PROCESSED.

*Fire Department Use Only*

I, ERIC M. TARDY, Head of the HAVERHILL Fire Department endorse this application with my

Approval  Disapproval

Signature of Head of the Fire Department [Signature] Date 11/18/25

Recommendations: Follow all code requirements & BEST PRACTICES ASSOCIATED WITH THE USE, STORAGE & MAINTENANCE OF TANKS & PROCESS



10.2

**Special Permit - Flammable Fuel Storage**

**SPFL-25-3**

Submitted On: Aug 15, 2025

**Applicant**

👤 JT Couch  
☎ 973-650-6060  
@ jt@creekbrookcml.com

**Primary Location**

30 CREEK BROOK DR  
Haverhill, MA 01832

**Important: Please Read Before Starting Your Application**

**Applicant Information**

<b>Is this application a new license or an amendment to an existing license?</b> New	<b>If amendment, please indicate date of original license</b> -
<b>IF OTHER, please specify</b> -	<b>What is Your Role in this Process?</b> Representative of Applicant
<b>Applicant or Business/Firm Phone</b> 9736506060	<b>Applicant or Business/Firm Name</b> Creek Brook CML
<b>Applicant or Business/Firm City</b> Haverhill	<b>Applicant or Business/Firm Address</b> 30 Creek brook Dr.
<b>Applicant or Business/Firm Zip Code</b> 01832	<b>Applicant or Business/Firm State</b> Massachusetts
<b>Name of Licensee</b> Mark Cafua	<b>Business Structure</b> Corporation
<b>Contact Information for Licensee (Email and Phone Number)</b> jt@creekbrookcml.com	<b>Address of Licensee</b> 30 Creek Brook Dr.

OCT 24 AM 9:19  
HAVCITYCLERK

**Land Information**

<b>Location of Land</b> 30 Creek Brook Dr.	<b>Owner of Land</b> Mar Fiber Tech Two LLC
<b>Address of Land Owner</b> 20 Pickering ST. Needham MA 02492	<b>Use and Occupancy of Buildings and Structures</b> Food Manufacturing
<b>GIS Coordinants</b> 548- 1 -3c-2A-2	

**Flammable and Combustible Liquids, Flammable Gases, and Solids**

<b>Product Name</b> Edible shortening oil	<b>Class of Flammable or Combustible</b> Class 2B
<b>Maximum Quantity of Tank Storage</b> 15000	<b>Units</b> Gallons
<b>Container</b>	<b>IF OTHER, please specify</b>

Aboveground Storage Tank

—

Total quantity of all flammable liquids to be stored

Total quantity of all combustibile liquids to be stored

0

15000

Total quantity of all flammable gases to be stored

Total quantity of all flammables solids to be stored

0

0

---

### LP Gas or Propane Information

Will you have LP gas or propane?

No

---

### Explosives Information

Will you have explosives?

No

---

### Emergency Contact Information

Emergency Contact Name

Emergency Contact Phone Number

JT Couch

9736506060

---

### Acknowledgement

I, \_\_\_\_\_, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

true

Electronically Sign Here:

Joseph Theodore Couch IV

Signor's Role

Representative of Applicant

**SPFL-25-3**

Special Permit - Flammable Fuel  
Storage

Status: Active  
Submitted On: 8/15/2025

**Primary Location**

30 CREEK BROOK DR  
Haverhill, MA 01832

**Owner**

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM,  
MA 02492

**Applicant**

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

**Applicant Information**

NOV 14 AM 11:00  
HAVERHILL CITY CLERK

Is this application a new license or an amendment to an existing license?\*

New

If amendment, please indicate date of original license

What is Your Role in this Process?\*

Representative of Applicant

IF OTHER, please specify

Applicant or Business/Firm Name\*

Creek Brook CML

Applicant or Business/Firm Phone\*

9736506060

Applicant or Business/Firm Address\*

30 Creek brook Dr.

Applicant or Business/Firm City\*

Haverhill

Applicant or Business/Firm State\*

Massachusetts

Applicant or Business/Firm Zip Code\*

01832

Business Structure\*

Corporation

Name of Licensee\*

Mark Cafua

Address of Licensee\*

30 Creek Brook Dr.

Contact Information for Licensee (Email and Phone Number)\*

jt@creekbrookcml.com

**Land Information**

Location of Land\* 

30 Creek Brook Dr.

Owner of Land\*

Mar Fiber Tech Two LLC

Address of Land Owner\*

20 Pickering ST. Needham MA 02492

Use and Occupancy of Buildings and Structures\*

Food Manufacturing

GIS Coordinants\* ⓘ

548- 1 -3c-2A-2

## Flammable and Combustible Liquids, Flammable Gases, and Solids

Product Name\*

Edible shortening oil and diesel fuel

Class of Flammable or Combustible\*

Class IIIB and Class II

Maximum Quantity of Tank Storage\*

31,700

Units\* ⓘ

Gallons

Container\* ⓘ

Aboveground Storage Tank

IF OTHER, please specify

Total quantity of all flammable liquids to be stored\*

0

Total quantity of all combustible liquids to be stored\*

31,700

Total quantity of all flammable gases to be stored\*

0

Total quantity of all flammables solids to be stored\*

0

## LP Gas or Propane Information

Will you have LP gas or propane?\*

No

## Explosives Information

Will you have explosives?\*

No

## Emergency Contact Information

Emergency Contact Name\*

JT Couch

Emergency Contact Phone Number\*

9736506060

## Acknowledgement

I, \_\_\_\_\_, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.\*



Electronically Sign Here:\*

Joseph Theodore Couch IV

Signor's Role\*

Representative of Applicant

## Attachments

	<b>Plot Plan of the Property</b> C120 Site Layout and Materials Plan - Overall 10.16.24 Const. Rev2.pdf Uploaded by JT Couch on Aug 15, 2025 at 12:54 PM	REQUIRED
	<b>Sketch of tank location on property</b> Creek Brook CML_Overall Plan w Equip_20240918 (With Moline Equipment 06-17-2025) 2.pdf Uploaded by JT Couch on Aug 15, 2025 at 12:38 PM	REQUIRED
	<b>Proof of Abutter Notification</b> AButters notification .docx Uploaded by JT Couch on Aug 15, 2025 at 12:56 PM	REQUIRED
	<b>Detailed Written Summary of Project</b> Application for Tank license - project summary.docx Uploaded by JT Couch on Aug 15, 2025 at 12:34 PM	REQUIRED
	<b>Shortening SDS.pdf</b> Shortening SDS.pdf Uploaded by JT Couch on Aug 15, 2025 at 12:36 PM	

## Fire Chief Approval

Record No.SPFL-25-3

Status Completed      Became Active August 15, 2025

Assignee Eric Tarpy      Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

Eric Tarpy August 26, 2025 at 3:11 pm

Waiting on updated FP- 002A form to be sent to office for Fire Dept. signature.

JT Couch August 26, 2025 at 3:25 pm

Hello, I just sent it over to Private Belfiore and uploaded it to the portal as well.

JT Couch August 27, 2025 at 3:05 pm

Hi I see the form was signed off on, do I need to send to anyone for further approval or will it automatically switch from in progress to approved?

Kaitlin Wright September 2, 2025 at 1:34 pm

@Eric Tarpy form FP-002A is attached under attachments and awaits the Fire Chief's signature.

Brian Belfiore  Internal September 2, 2025 at 4:22 pm

@Kaitlin Wright signed copy attached.

Eric Tarpy September 3, 2025 at 8:14 am

Applicant to apply for permit to exercise license. Subject to all code requirements.

Kaitlin Wright September 3, 2025 at 2:18 pm

Hearing will be announced at September 16th Council meeting. Application will be heard before Council on October 28th meeting at 7 PM.

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## Step Activity

OpenGov system activated this step	08/15/2025 at 12:58 pm
OpenGov system assigned this step to Robert O'Brien	08/15/2025 at 12:58 pm
Eric Tarpay reassigned this step from Robert O'Brien to Eric Tarpay	08/26/2025 at 11:22 am
Eric Tarpay approved this step	09/03/2025 at 8:13 am

## Tax Check

Record No.SPFL-25-3

Status Completed

Became Active August 15, 2025

Assignee Lynn Spitalere

Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

No comments yet.

### Step Activity

OpenGov system activated this step 08/15/2025 at 12:58 pm

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Kaitlin Wright assigned this step to Lynn Spitalere 08/19/2025 at 11:10 am

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Lynn Spitalere approved this step 08/21/2025 at 4:36 pm

## Water Bill Check

Record No.SPFL-25-3

Status Completed

Became Active August 19, 2025

Assignee Elizabeth Remmes

Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

No comments yet.

### Step Activity

Kaitlin Wright assigned this step to Elizabeth Remmes 08/19/2025 at 11:11 am

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Kaitlin Wright activated this step 08/19/2025 at 11:11 am

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Elizabeth Remmes approved this step 08/19/2025 at 11:30 am

## City Clerk Review

Record No.SPFL-25-3

Status Completed

Became Active September 3, 2025

Assignee Kaitlin Wright

Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 [jt@creekbrookcml.com](mailto:jt@creekbrookcml.com)  
 30 creek brook dr  
Haverhill, MA 01832

## Messages

**Kaitlin Wright** August 28, 2025 at 1:18 pm

Please provide GIS coordinates (latitude and longitude) for where the tank/tanks will be stored.

**JT Couch** August 28, 2025 at 3:13 pm

The coordinates for the shortening tank are (42.7935° N, 71.1233° W).

**Kaitlin Wright** August 28, 2025 at 3:23 pm

Thank you – I added the coordinates to the application and reuploaded.

**JT Couch** August 28, 2025 at 3:40 pm

Thank you!

**Kaitlin Wright** September 17, 2025 at 8:48 am

If there are any further additions to the application, please ensure to notify me directly as well so I can ensure the updated information is relayed to the City Council.

**Kaitlin Wright** October 17, 2025 at 9:22 am

Good morning JT, I spoke with the Fire Department yesterday and they stated there is an additional 7,000 gallon diesel tank on property. Is that correct? Please let me know asap.

**JT Couch** October 17, 2025 at 12:26 pm

Hi Kaitlin, yes the GC made me aware of that recently. I thought it was off of natural gas but it is not. Do I need to amend anything?

**Kaitlin Wright** October 17, 2025 at 1:00 pm

Yes, the application will need to be amended.

Unfortunately, I will have to re-announce before Council the amount being stored, re-advertise and re-notify the abutters. The MGL that governs this requires at least 7 days notice prior to the hearing. The hearing will be have to be continued to a later date.

Please provide an updated application with any additional documents/paperwork that show the additional tank. I can re-announce at the 28th meeting, but we will need to continue the hearing to a later date – likely December 9th to give us time to advertise and you time to re-notify the abutters.

**Kaitlin Wright** October 21, 2025 at 11:38 am

The Fire Department informed me that there is a third diesel tank on site that was not included on your application. This needs to be updated to reflect the additional diesel tank. However, the hearing will need to be continued from the October 28th date now as abutters will need to be re-notified with an updated notification and the advertisement will need to be updated, as well. The MGL that governs flammable storage applications requires that this notice happen at least 7 days prior to the hearing and since a new, updated application has yet to be received, we cannot move forward with the updated abutter notification and advertisement. Please get me a completed, updated application that reflects all tanks on site as soon as possible so we can work together to schedule a new hearing date. Our council calendar is filling up very quickly, and it is highly likely we will not be able to fit you in for another hearing date until the December 16th meeting.

**Kaitlin Wright** October 22, 2025 at 1:49 pm

Spoke with applicant JT Couch on the phone. JT indicated they will continue with the hearing on 10/28 and will seek approval for the 19,000 gallon shortenings and oil tank and the 5,000 gallon diesel tank. They do not presently have the 7,000 gallon diesel tank on site. Applicant is aware that they will need to reapply for an amendment to the license (if granted) when they are ready to install the additional 7,000 gallon diesel tank.

## Step Activity

OpenGov system activated this step	09/03/2025 at 8:13 am
OpenGov system assigned this step to Rose Leonard-Flynn	09/03/2025 at 8:13 am
Kaitlin Wright reassigned this step from Rose Leonard-Flynn to Kaitlin Wright	09/03/2025 at 2:14 pm
Kaitlin Wright approved this step	09/03/2025 at 2:14 pm

## City Clerk – Hearing Date Set

Record No.SPFL-25-3

Status Completed                      Became Active September 3, 2025  
Assignee Kaitlin Wright              Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

Kaitlin Wright September 3, 2025 at 2:20 pm  
Hearing will be announced at September 16th Council meeting. Application will be heard before Council on October 28th meeting at 7 PM

Kaitlin Wright September 3, 2025 at 2:21 pm  
Application states 19,000 gallons, but written summary still shows 15,000 gallons. It would be helpful if the summary could be updated or something could be added to reflect/explain the change for the additional gallons.

JT Couch September 3, 2025 at 4:46 pm  
Hi Kaitlin I have just uploaded a new summary and tried to put a explanation at the top, I also left a brief note on its submission details. Thank you!

---

## Step Activity

OpenGov system activated this step 09/03/2025 at 2:14 pm

OpenGov system assigned this step to Maria Bevilacqua 09/03/2025 at 2:14 pm

Kaitlin Wright reassigned this step from Maria Bevilacqua to Kaitlin Wright 09/03/2025 at 2:14 pm

Kaitlin Wright approved this step 09/03/2025 at 2:21 pm

## Building Inspector Review

Record No.SPFL-25-3

Status Completed

Became Active September 8, 2025

Assignee Tom Bridgewater

Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

No comments yet.

### Step Activity

OpenGov system activated this step 09/08/2025 at 1:19 pm

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OpenGov system assigned this step to Tom Bridgewater 09/08/2025 at 1:19 pm

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Tom Bridgewater approved this step 09/08/2025 at 2:55 pm

## Conservation Department/Stormwater Review

Record No.SPFL-25-3

Status Completed      Became Active September 8, 2025

Assignee Robert Moore      Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

**Robert Moore** September 8, 2025 at 5:21 pm  
Hi JT. The Conservation Commission originally approved a 7,000 gallon tank on a pad in this location. The new, larger tank looks to be inside a small building addition. Is that correct?

**JT Couch** September 8, 2025 at 6:16 pm  
Hi inspector Moore, I believe the tank you're referring to is our diesel fuel storage tank. The permit for that one is filed as permit # 131186. It has a gross volume of 7,000 gallons and is used to fuel our fleet of trucks. This permit is for the storage of cooking oil stored in a built for purpose room on-site at creek brook. It is a self contained room attached to the facility the diesel fuel tank is on the opposite exterior of the building. I can email you a site plan highlighting each tanks location if you would like. Please let me know however I can assist, thank you!

**Robert Moore** September 10, 2025 at 1:10 pm  
JT, thank you for the response. The tank we last had on the books is the 7000gal stand-alone shown below. I was mostly interested in confirming this new, larger tank would be inside the building, which minimizes release potential. It sounds like the tanker will connect to an intake on the exterior of the building. As with the original design, the building should be equipped with an appropriate spill kit to contain any incidents.

**JT Couch** September 10, 2025 at 1:31 pm  
No problem, I will contact our vendors and begin procuring a large kit. Yes the tanker will pull up attach a hose and pump directly into the tank from the exterior of the building to inside to the tank room.

---

## Step Activity

OpenGov system activated this step 09/08/2025 at 1:19 pm

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OpenGov system assigned this step to Robert Moore 09/08/2025 at 1:19 pm

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Robert Moore approved this step 09/10/2025 at 1:10 pm

## DPW Review

Record No.SPFL-25-3

Status Active

Became Active September 8, 2025

Assignee Robert Kimball

Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

Kaitlin Wright

October 8, 2025 at 8:50 am

Please review, this is coming before Council on 10/28!

Kaitlin Wright

October 22, 2025 at 1:40 pm

Please review, this is coming before Council on 10/28!

---

## Step Activity

OpenGov system activated this step

09/08/2025 at 1:19 pm

OpenGov system assigned this step to Robert Ward

09/08/2025 at 1:19 pm

Kaitlin Wright reassigned this step from Robert Ward to Robert Kimball

09/16/2025 at 8:27 pm

## Engineering Review

Record No.SPFL-25-3

Status Completed

Became Active September 8, 2025

Assignee John Pettis

Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

Kaitlin Wright

October 8, 2025 at 8:50 am

Please review, this is coming before Council on 10/28!

Kaitlin Wright

October 22, 2025 at 1:41 pm

Please review, this is coming before Council on 10/28!

John Pettis

October 22, 2025 at 4:03 pm

I have no objection to the requested permit.

---

## Step Activity

OpenGov system activated this step

09/08/2025 at 1:19 pm

OpenGov system assigned this step to John Pettis

09/08/2025 at 1:19 pm

John Pettis approved this step

10/22/2025 at 4:03 pm

## Police Department Review

Record No.SPFL-25-3

Status Completed

Became Active September 16, 2025

Assignee Kevin Lynch

Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

No comments yet.

### Step Activity

Kaitlin Wright activated this step

09/16/2025 at 8:26 pm

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Kaitlin Wright assigned this step to Kevin Lynch

09/16/2025 at 8:27 pm

---

Kevin Lynch approved this step

09/19/2025 at 12:51 pm

## Water Supply Review

Record No.SPFL-25-3

Status Active      Became Active September 16, 2025

Assignee Robert Ward      Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

Kaitlin Wright      October 8, 2025 at 8:50 am  
Please review, this is coming before Council on 10/28!

---

Kaitlin Wright      October 22, 2025 at 1:41 pm  
Please review, this is coming before Council on 10/28!

---

## Step Activity

Kaitlin Wright assigned this step to Robert Ward      09/16/2025 at 8:27 pm

---

Kaitlin Wright activated this step      09/16/2025 at 8:27 pm

## Water/Wastewater Review

Record No.SPFL-25-3

Status Active      Became Active September 16, 2025

Assignee Robert Ward      Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

Kaitlin Wright October 8, 2025 at 8:50 am  
Please review, this is coming before Council on 10/28!

---

Kaitlin Wright October 22, 2025 at 1:41 pm  
Please review, this is coming before Council on 10/28!

---

## Step Activity

Kaitlin Wright assigned this step to Robert Ward 09/16/2025 at 8:28 pm

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Kaitlin Wright activated this step 09/16/2025 at 8:28 pm

## School Department Review

Record No.SPFL-25-3

Status Active

Became Active September 16, 2025

Assignee Margaret Marotta

Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

Kaitlin Wright

October 8, 2025 at 8:50 am

Please review, this is coming before Council on 10/28!

Kaitlin Wright

October 22, 2025 at 1:41 pm

Please review, this is coming before Council on 10/28!

---

## Step Activity

Kaitlin Wright assigned this step to Margaret Marotta

09/16/2025 at 8:31 pm

Kaitlin Wright activated this step

09/16/2025 at 8:31 pm

## Fire Department Second Review

Record No.SPFL-25-3

Status Completed      Became Active September 16, 2025  
Assignee Brian Belfiore      Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

Brian Belfiore      September 17, 2025 at 7:50 am  
Applicant has submitted all required documents.

---

## Step Activity

Kaitlin Wright assigned this step to Eric Tarpay      09/16/2025 at 8:31 pm

Kaitlin Wright activated this step      09/16/2025 at 8:31 pm

Brian Belfiore reassigned this step from Eric Tarpay to Brian Belfiore      09/17/2025 at 7:50 am

Brian Belfiore approved this step      09/17/2025 at 1:06 pm

## Abutter Notification

Record No.SPFL-25-3

Status Active                      Became Active October 22, 2025  
Assignee Kaitlin Wright              Due Date None

---

### Primary Location

30 CREEK BROOK DR  
Haverhill, MA 01832

### Owner

MAR FIBERTECH TWO LLC  
PICKERING ST, STE 200 20 NEEDHAM, MA 02492

### Applicant

 JT Couch  
 973-650-6060  
 jt@creekbrookcml.com  
 30 creek brook dr  
Haverhill, MA 01832

---

## Messages

**Kaitlin Wright** September 8, 2025 at 1:20 pm  
Abutter notification for fuel storage applications are the applicant's responsibility. You may use the advertisement to send your abutter notification. The advertisement will be printed on October 9 and 16th in the Gazette. Please be sure to send abutter notification on or around then. A list of abutters has also been attached. Prior to the hearing, the certified mail receipts will need to be submitted to our office. Please reach out with questions.

**JT Couch** September 8, 2025 at 3:29 pm  
Hi Kaitlin, The advertisement states that this is a class 2B liquid, would you like me to amend and re upload or does it need to come from your end?

**Kaitlin Wright** September 8, 2025 at 3:33 pm  
Hi JT, the wording on the advertisement was taken directly from the attachment titled Detailed Project Summary 9-3-2025.docx. Please advise if this is incorrect.

**JT Couch** September 8, 2025 at 3:40 pm  
I just uploaded the version history I must have uploaded a legacy version by accident it is a class 3B liquid.

**Kaitlin Wright** September 9, 2025 at 4:44 pm  
Thank you for clarifying!

**Kaitlin Wright** September 17, 2025 at 8:48 am  
Please use updated advertisement for abutter notification.

**Kaitlin Wright** October 24, 2025 at 9:15 am  
As of 10/24/2025, still have not received green cards for mail/confirmation of abutter notification. Spoke with applicant to remind him that these need to be submitted ASAP. Stated someone from company would bring them over to City Hall this morning.

**Step Activity**

Kaitlin Wright activated this step

10/22/2025 at 1:44 pm

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Kaitlin Wright assigned this step to Kaitlin Wright

10/22/2025 at 1:44 pm



# Haverhill

City Clerk's Office, Room 118  
Phone: 978-374-2312 Fax: 978-373-8490  
[cityclerk@haverhillma.gov](mailto:cityclerk@haverhillma.gov)

September 8, 2025

## PUBLIC HEARING

City Council Chambers, City Hall, Room 202, 4 Summer st

Notice is hereby given that the following application for a license to store, keep, and use INFLAMMABLE LIQUIDS has been made to the City Clerk and the City Council will conduct a hearing for all parties interested, in a hybrid meeting (virtual/in person), on Tuesday, October 28, 2025; at 7:00 PM. This notice is given under the provisions of Chapter 148 of the General Laws - JT Couch on behalf of Creek Brook CML (SPFL-25-3); requesting to store 19,000 gallons of Class 3B edible shortening oil and 5,000 gallons of Class II Diesel Fuel in above ground storage tanks at 30 Creek Brook Dr.

*(Residents who are interested in commenting on this item can either (1) Attend in person (Council Chambers, Room 202) or (2) Attend remotely using the link provided on the public meeting calendar on the City's website.)*

Description of area, maps and plans are on file in the City Clerk's Office.

**Advertise: October 9 & October 16, 2025**  
**Haverhill Gazette**

Kaitlin M. Wright, CMC  
City Clerk



FP-002A  
(Rev. 6/23)

The Commonwealth of Massachusetts  
City/Town of Haverhill

Application For License

Massachusetts General Law, Chapter 148 §13

New License     Amended License

GIS Coordinates
<u>42.7935</u>
LAT.
<u>71.1233</u>
LONG.
License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 30 Creek Brook Dr.  
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: Mar Fiber Tech Two LLC

Address of Land Owner: 20 Pickering Street Needham MA, 02492

Use and Occupancy of Buildings and Structures: Food Manufacturing

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

Attach a copy of the current license

**Flammable and Combustible Liquids, Flammable Gases and Solids**

*Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.*

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums
Edible shortenings and Oils	Class 3B	19,000	Gal.	AST
Diesel Fuel	Class 2	5,000	Gal.	AST

Total quantity of all flammable liquids to be stored: N/A

Total quantity of all combustible liquids to be stored: 24,000 Gallons

Total quantity of all flammable gases to be stored: N/A

Total quantity of all flammable solids to be stored: N/A

**LP-gas** (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: N/A

List sizes and capacities of all aboveground containers used for storage: \_\_\_\_\_

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: N/A

List sizes and capacities of all underground containers used for storage: \_\_\_\_\_

Total aggregate quantity of all LP-gas to be stored: N/A

**Fireworks** (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: N/A Type/class of magazine used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4G: N/A Type/class of magazine used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4: N/A Type/class of magazine used for storage: \_\_\_\_\_

Total aggregate quantity of all classes of fireworks to be stored: \_\_\_\_\_

**Explosives** (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: N/A Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.2: N/A Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.3: N/A Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4: N/A Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.5: N/A Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.6: N/A Number of magazines used for storage: \_\_\_\_\_

I, Joseph T. Couch IV, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature Joseph Theodore Couch IV Date 9/15/2025 Name Joseph T. Couch IV

PLEASE NOTE THAT ONLY APPLICATIONS WITH ORIGINAL WET SIGNATURES WILL BE ACCEPTED. PHOTOCOPIES OF APPLICATIONS WILL NOT BE PROCESSED.

*Fire Department Use Only*

I, ERIC M. TARAY, Head of the HAVERHILL Fire Department endorse this application with my

Approval  Disapproval

D/K ETV  
Signature of Head of the Fire Department

9/17/25  
Date

Recommendations: Follow all code requirements and best practices associated with the use, storage and maintenance of tank, product & process.

# Detailed Written Summary of Project

**\*\*This application is set up for 19,000 gallons to satisfy state fire marshal's request to cover total amount of shortening on property. Hence forward in this plan the tank will be referred to as 19,000 gallons with the understanding the actual capacity of the tank is 17,000 gross gallons. \*\***

## **Application Summary – 19,000 Gallon Edible Shortening Oil Storage Tank (Class 3B Liquid)**

The engineering documentation provided outlines the design and intended application of a **19,000-gallon stainless steel storage tank (Tag: TK-100)** manufactured by Feldmeier Equipment, configured for handling **Class 3B edible shortening oil**. The system is part of a **PKO (Palm Kernel Oil) Storage and Hot Water Set** designed for industrial food production, specifically for controlled storage, heating, and transfer of shortening oil to downstream fryer balance tanks.

---

### **1. Tank Design and Construction**

- **Capacity:** 19,000 gallons
- **Material:** 316 stainless steel construction for sanitary food-grade applications.
- **Configuration:** Vertical tank with legs and integrated connections for inlet, outlet, venting, and heating systems.
- **Thermal Features:** Equipped with a **heat-traced and insulated oil line network** to maintain product temperature at **135°F**, preventing solidification of the shortening oil during storage and transfer.
- **Hot Water Jacket System:** Supplies heated water to the tank jacket for precise temperature maintenance.

---

### **2. Process Flow and Integration**

- **Oil Supply:** Product is delivered from a tanker truck via a dedicated **oil inlet line** with **heat tracing and insulation** to maintain fluidity during transfer.

- **Distribution:** Heated oil is transferred through a **centrifugal pump (CP-100)** and associated sanitary valves to connected fryer balance tanks.
  - **Piping:** All product lines use sanitary tri-clamp fittings and stainless steel construction.
- 

### 3. Heating & Temperature Control

- **Hot Water Set:**
    - **Recirculation Pump (CP-600, 3 HP)** circulates hot water through the tank jacket and return loop.
    - **Electric Heat Exchanger (HX-600, 480V)** heats the water supply.
    - **Expansion Tank (TK-600)** maintains system pressure stability.
  - **Temperature Monitoring:** Multiple **temperature transmitters (TIT-600)** monitor jacket water and tank oil temperature.
  - **Flow Monitoring:** Flow switches ensure proper circulation of heating media.
- 

### 4. Safety and Venting Systems

- **Venting:**
    - **Emergency Vent (PRV-100)** – 6” Protectoseal pressure relief vent to prevent over-pressurization.
    - **Vacuum Vent (VRV-100)** – 2” Protectoseal unit to prevent vacuum collapse during unloading or cooling.
    - **Tank Conditioner & UV Ventilation Units** – maintain product quality and prevent microbial growth.
  - **Pressure Relief:** ASME-rated pressure relief valves installed on both oil and hot water circuits (80 PSIG).
  - **Check Valves:** Prevent backflow contamination between product and utility lines.
- 

### 5. Controls and Instrumentation

- **Valves:** A combination of ball valves, butterfly valves, and shut-off valves for isolation and flow control.
- **Instrumentation:**

- Level transmitters for high/low product monitoring.
  - Temperature transmitters for jacket and product temperature control.
  - Flow switches to confirm fluid circulation in both oil and hot water loops.
  - **Automation:** Designed for integration with plant control systems via PLC interface.
- 

## 6. Operational Purpose

This tank system provides **bulk storage, heating, and controlled delivery** of Class 3B edible shortening oil for use in continuous frying operations. The **temperature-controlled environment** ensures the oil remains in a liquid state for process reliability, while sanitary construction and venting systems maintain **product integrity and food safety compliance**.

**Facility: PKO (Edible Shortening Oil) Storage & Hot Water Set**

**Primary Vessel: TK-100, 19,000 gal, 316 SS, Feldmeier (S/N 24E0725)**

### 1) Product classification (NFPA 30 / OSHA)

- **NFPA 30 combustible liquid class:** For edible shortening/palm-kernel oils with flash point typically well above 200 °F, the applicable NFPA 30 class is **Class IIIB** (combustible liquid,  $FP \geq 200$  °F). Although the project description references “Class 3B,” this system is operated at ~135 °F—below common edible-oil flash points—so the **NFPA 30 design basis is Class IIIB**.
- **OSHA 1910.106 alignment:** OSHA follows similar category logic; edible oils normally fall in the highest flash-point (least hazardous) combustible category when not heated near FP.

**Implication:** Class IIIB liquids are the least restrictive under NFPA 30; normal building locations are generally permitted, hazardous (electrical) classification is **not** typically required unless heated to/above the flash point, sprayed, or otherwise aerosolized.

### 2) System description supporting compliance

- **Tank & capacity:** One 19,000-gal sanitary vertical tank, 316 SS, leg-supported (Tag **TK-100**).
- **Heating method:** Hot-water jacket with dedicated **hot-water skid** (pump **CP-600** 3 HP; electric circulation heater **HX-600** 480 V; expansion tank **TK-600**; PRV/PSV; flow and temperature instrumentation) designed to maintain ~**135 °F** jacket supply/return—well below typical edible-oil FP.

- **Product transfer:** Sanitary, heat-traced, insulated oil lines (1.5–2") from tanker offload to TK-100 and out to fryer balance tanks via **CP-100** centrifugal pump and sanitary valves. Lines/headers are heat-traced and insulated to maintain fluidity, not to approach FP.
- **Overpressure/venting:**
  - **Emergency vent: PRV-100** 6" Protectoseal F7806H, piped to roof ("EMERGENCY VENT TO ROOF").
  - **Vacuum relief: VRV-100** 2" Protectoseal F6242 (end-of-line).
  - **Normal/conditioning vents:** 10" tank vent **LTX-10AB2A0** and **Liquid Tank Conditioner (UV) LTC-2AB4A0** (American Ultraviolet).
- **Instrumentation & interlocks:** Level transmitters (LLT/HLT tags shown), temperature transmitters (**TIT-600**), and flow switches (**FS-100**, **FW-600**) for both oil and hot-water loops to verify circulation and prevent heater operation on no-flow.

### 3) NFPA 30 conformance elements

**Chapters referenced (by topic):** Design & construction of tanks; normal/emergency venting; heating; transfer operations; indoor tank allowances for Class IIIB; drainage/spill control.

- **Tank design & materials:** Stainless steel, closed, fixed-roof vessel with sanitary connections aligns with NFPA 30 tank construction options for Class IIIB. (TK-100 BOM and P&ID/lifecycle show sanitary, closed system.)
- **Normal venting:** Provided via the dedicated tank vent assembly and conditioner; sized/selected equipment is identified (10" American Ultraviolet vent + conditioner) for normal breathing and product quality. Final vent sizing to meet NFPA 30 normal vent capacity is by manufacturer data; devices are specified in the BOM.
- **Emergency venting:** The **6" Protectoseal F7806H** emergency vent meets the NFPA 30 requirement for emergency relief due to fire exposure (capacity per manufacturer curves). Discharge is routed to roof, minimizing in-room vapor release.
- **Vacuum protection:** The **2" Protectoseal F6242** prevents vacuum collapse during unloading/cooling.
- **Heating controls:** Jacket water heat is mechanically separated from product, with temperature transmitters (**TIT-600**) and flow switches (**FW/FS**) interlocked to heaters/pumps, satisfying NFPA 30 expectations that heating systems be controlled and monitored to avoid overheating.

- **Pumping & valves:** Sanitary pumps (**CP-100, CP-600**) and isolation/butterfly valves (QSM) provide positive shutoff and control. Check valves (**CV-100**) are included to prevent reverse flow.
- **Electrical classification:** Because the product is **Class IIIB** and operating temperature (~135 °F) is **well below FP**, the area is **not normally a classified (hazardous) location** per NFPA 30. Standard industrial electrical installation is acceptable unless the AHJ identifies specific classified pockets (e.g., at vents or if future operations heat above FP).

#### 4) Spill control, drainage, and secondary containment

- **Floor drainage:** Direct any drainage away from doorways/exits and ignition sources. Provide shut-off valves on trench drains leading to an oil-water separator or dedicated containment.

#### 5) Fire protection & emergency planning

- **Portable extinguishers:** Provide **Class B** (and, where fryer operations exist, **Class K** near cooking equipment) extinguishers with travel distance per NFPA 10.
- **Fixed protection:** For **Class IIIB** indoor tanks, foam systems are **not typically required** by NFPA 30; coordinate with AHJ based on risk assessment. If foam is provided, use agents compatible with vegetable oils.
- **Alarm & shutdowns:**
  - High-high product level → stop transfer from tanker.
  - Low/No jacket flow (**FW-600/FS-100**) → trip **HX-600** heater.
  - High jacket temperature (**TIT-600**) → alarm and heater trip.
- **Vent routing:** Maintain the **emergency vent to roof** penetration, weather-proofed and clear of air intakes and ignition sources.
- **Housekeeping:** Keep combustibles clear of tank and hot-water skid. Post emergency shutdown procedures at the skid and tanker offload point.

#### 6) Transfer operations (tanker to TK-100)

- **Connection point:** Dedicated heated/insulated product inlet line “PKO FROM TANKER” to TK-100 (with isolation valve and flow/level interlocks).
- **Bonding/grounding:** Bond tanker to facility during offload to control static (good practice even for high-FP edible oils).
- **Supervision:** Offloading performed by trained personnel; verify **LLT/HLT** signals and vent path clear before start.

## 7) Signage, labels, and documentation

- **Tank labeling:** “EDIBLE SHORTENING OIL – CLASS IIIB COMBUSTIBLE LIQUID – 19,000 GAL – NO SMOKING/NO OPEN FLAMES.”
- **Process labels:** Tag all valves/instruments per P&ID (e.g., **PRV-100, VRV-100, CP-100/600, HX-600, TIT-600, FS/FW**) to match drawings/BOM.
- **SDS availability:** Maintain product SDS on site; confirm FP and operating limits in writing as part of the pre-startup safety review.

## 8) Construction & installation notes

- **Anchorage/seismic:** Anchor tank legs per structural calcs to resist sloshing and overturning; maintain clear access to emergency vent and manways. (Tank legs shown on layout sheet.)
- **Insulation/heat tracing:** As shown, oil lines are heat-traced and insulated (“1.5” Insulation,” oil lines heat-traced **135 °F**) to maintain pumpability without approaching FP. Verify insulation jacketing is non-absorbent, fire-retardant.
- **Electrical:** Power to **HX-600 (480 V)**, motors (**230/460 V**), and instruments (**24 V/120 V**) per BOM; follow NFPA 70 for wiring methods.

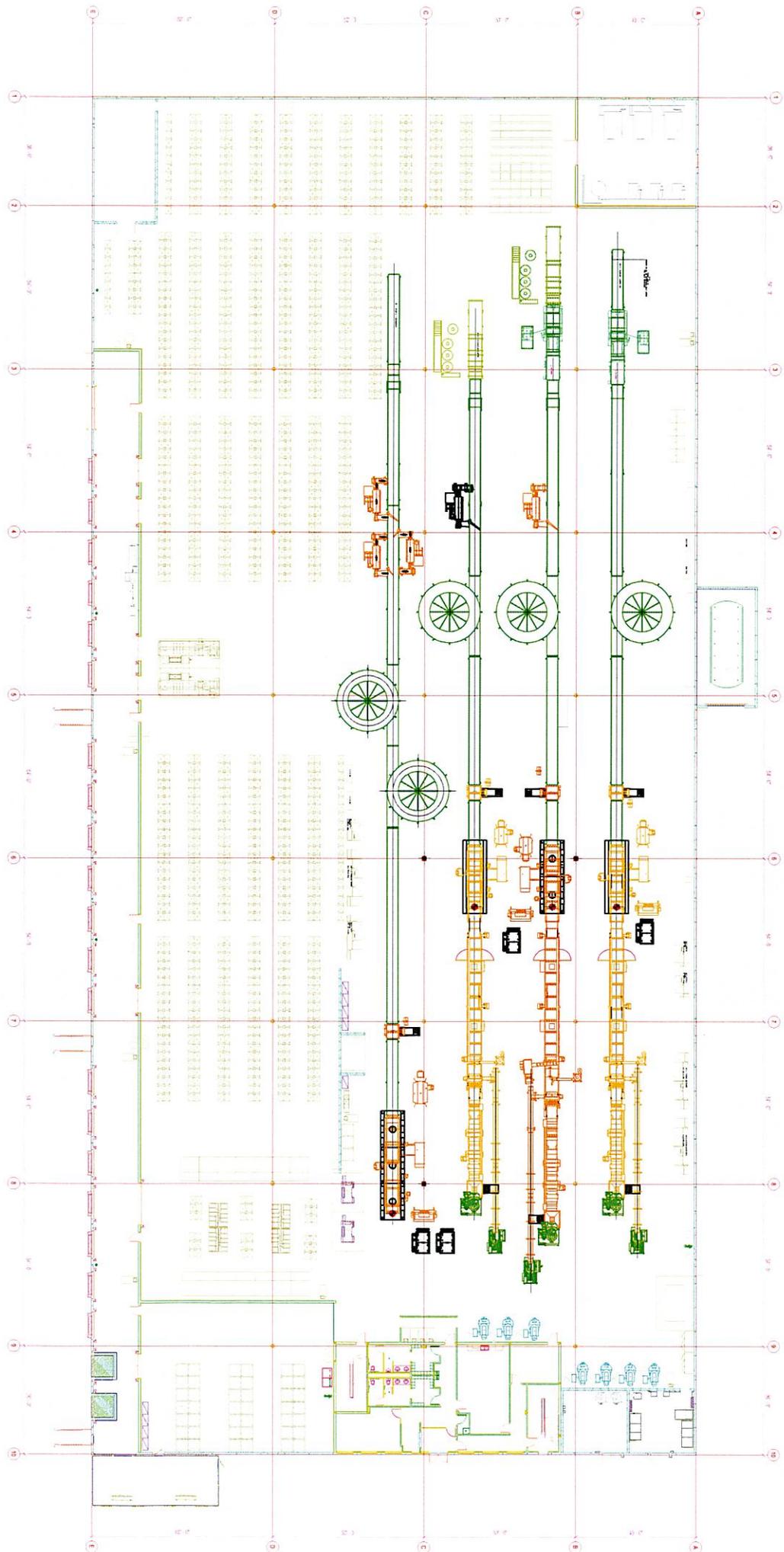
## 9) Owner/AHJ action items (to close out permitting)

1. **Confirm final product FP** (from SDS) to document **Class IIIB** basis at 135 °F operation.
2. **Vent capacity certs:** Attach manufacturer sizing sheets for **F7806H** and **F6242**, and for the 10" vent, to demonstrate normal + emergency venting capacity per NFPA 30.
3. **Containment drawings:** Provide diked area/containment calcs ( $\geq 110\%$  of 19,000 gal) and drain control details (valved to oil-water separator).
4. **SPCC applicability check:** If total on-site oil  $\geq 1,320$  gal, adopt/update **SPCC Plan** and inspection logs.
5. **PSSR/Commissioning:** Document interlock tests (no-flow trips, high-temp trips, level cutouts) and operator training.
6. **Labeling & pre-fire plan:** Post tank/valve IDs, emergency procedures, and add the tank to the facility pre-incident plan for the fire department.

---

Cross-references to the engineering package

- **BOM (mechanical & hot water):** TK-100 19,000 gal Feldmeier; PRV-100 6" Protectoseal F7806H; VRV-100 2" Protectoseal F6242; American Ultraviolet **LTX-10AB2A0** (10" vent) & **LTC-2AB4A0** (conditioner); CP-100 C114 pump; CP-600 hot-water recirc; **HX-600** WATTCO heater; **TIT-600**, **FS/FW-600** instrumentation; valves (QSM) and relief valves (Bell & Gossett 80 psig).
- **P&ID/Layout:** Heat-traced (135 °F) insulated oil lines; jacket supply/return; emergency vent routed to roof; level instruments (LLT/HLT); electrical services (480 V/230-460 V/120 V/24 V) noted.





7004 CESSNA DRIVE  
GREENSBORO, NC 27409  
336-393-0100

4400 BISHOP LANE, SUITE 112  
LOUISVILLE, KY 40218  
502-459-7475

334 FREE HILL ROAD  
HENDERSONVILLE, TN 37075  
615-822-3030

# CREEK BROOK CML HAVERHILL, MA PKO STORAGE & HOT WATER SET 24G0074

TABLE OF CONTENTS	
DRAWING NUMBER	DESCRIPTION
24G0074.1	COVER SHEET
24G0074.2	SYMBOL SHEET
24G0074.3	BILL OF MATERIALS
24G0074.4	Piping AND INSTRUMENTATION DIAGRAM
24G0074.5	LAYOUT

GENERAL NOTES  
1. VERIFY ALL DIMENSIONS WITH EQUIPMENT

CLIENT

CREEK BROOK  
HAVERHILL, MA



PROJECT TITLE

PKO STORAGE AND HOT WATER SET

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CATEGORY

316 SS

DRAWN BY

JAB

CHECKED BY

QUANTITY

1

SCALE

NA

UNLESS OTHERWISE NOTED,  
DIMENSIONS ARE IN INCHES.  
DIMENSIONS ON FACE UNLESS NOTED.



DRAWING DESCRIPTION

COVER SHEET

DRAWING NUMBER

24G0074-01.1



**GENERAL NOTES**

1. VERIFY ALL DIMENSIONS WITH EQUIPMENT

**MECHANICAL BILL OF MATERIALS - 24G0074-01**

NO.	TAG	DESCRIPTION	SPECIFICATION / MODEL	MANUFACTURER	Serial Number	Power/Air Supply
1	M-101	Motor Base 5 HP 184FC 3	118-3180M	SPX	F2410081299	230/460V
2	KV-100	W61 SHUT OFF VALVE	W6110263	SPX	100000640700	6-10bar 1/4"
3	TK-100	15,000 Gal Tank	15000GalTank	Freemove Equipment	2410725	230/460V
4	BP-104,105,106,107	1.5" BALL VALVE	EA-33W-5N-1.5-CV	OSM		
5	BPY-602	2in OSM BIV. TC 316SS EPDM	BPY-316-E-2	OSM		
6	OP-100	OTM Centrifugal Pump	C11402313	SPX	100006401062	
7	BP-108	1/2" BALL VALVE	EA-33W-5N-3-CV	OSM		
8	VENT	LIQUID TANK CONDENSER 4"	LTC-240140	American Ultratank		120V
9	VENT	10" TANK VENT	LTX-10A12A0	American Ultratank		
10	BPY-100,101,102	EA-33W-5N-1.5-W-36-5N-51-0846-7AL-55-53186-240	MON4360	OSM		2-Bar 1/4"
11	PEV-100	6" EMERGENCY VENT	F785H	PROTECTOSAL	368225	
12	WV-100	2" END OF LINE W/CSUM VENT	F642	PROTECTOSAL	36826	
13	AV-600	Air Vent	67	Bel & Gossett		
14	BP-602	3/4" BALL VALVE	FIG 200A	FM		
15	CV-100	2" VERTICAL DISC CHECK VALVE	CSC-316L-TC-2-V	OSM		
16	PSY-601	3/4" PRESSURE RELIEF VALVE, 80 PSIG, ASME	750-80 ASME RV	Bel & Gossett		
17	BPY-100	2" BUTTERFLY VALVE	BPY-316L-E-2	OSM		24V
18	FS-100	FLOW SWITCH	S8600	FM		
19	BPY-101	1.5" BUTTERFLY VALVE	BPY-316L-E-1.5	OSM		
20	BPY-102	2" BUTTERFLY VALVE	BPY-316L-E-2.0	OSM		
HOT WATER SET. BILL OF MATERIALS - 24G0074-05						
NO.	TAG	DESCRIPTION	SPECIFICATION / MODEL	MANUFACTURER	Serial Number	
1	TT-600	Temperature Transmitter	T2953	ITM		24V
2	PSY-600	3/4" Pressure Relief Valve, 80 PSIG, ASME	750-80 ASME RV	Bel & Gossett	110757	
3	RV-600	1" Ball Valve	EA-33W-5N-1-CV	OSM		
4	BPY-600	3/4" Back Flow Preventer	4A7-104-RZF	Asolo		
5	RPV-600	1/2" Pressure Reducing Valve	RP-1R	Bel & Gossett		
6	PG-600	Pressure Gauge -50 INHG to 0 to 60 psi	PHO-301L-4025-01	Gauger		
7	BPY-601	1" Ball Valve	EA-33W-5N-1-CV	OSM		
8	TR-600	Expansion Tank	PTA-30V 5/10 ASME	Bel & Gossett	BBJ481F	
9	CP-600	Hot Water Recirc Pump, 1/2HP, 3500 RPM, 4.5" impeller	2045	SPX	1000006407009	230/460V
10	M-600	3HP MOTOR 14.3M	118-8180	BALDOR	F2410041227	24V
11	FW-600	Flow Switch	S4800	ITM	124296	480V
12	HW-600	2" Fringed Circulation Valve	WFS1312004 T	WATICO	F153-20023417-5891-1	
13	BP-602	3/4" Ball Valve	EA-33W-5N-75-CV	OSM		
14	BPY-601	2" Butterfly Valve	BPY-316L-V-2	OSM		
15	BPY-601	2" Butterfly Valve	BPY-316L-V-2	OSM		
16	FRAME	2.0" Mtl Square Tubing with Adjustable Legs	24G0074-05	M.G. Newell		

CLIENT

CREEK BROOK  
HAVERHILL, MA



PRODUCT LINE

PKO STORAGE AND HOT WATER SET

DRAWN BY		CHECKED BY	
JAB		316 SS	
QUANTITY	SIZE	SCALE	NA
1	D		
UNLESS OTHERWISE SPECIFIED DIMENSIONS IN INCHES TOLERANCE ON DIMENSIONS: ±.01"			

DRAWING DESCRIPTION

BILL OF MATERIALS

DRAWING NUMBER

24G0074- 01.3

**GENERAL NOTES**

1. VERIFY ALL DIMENSIONS WITH EQUIPMENT

CLIENT

CREEK BROOK  
HAVERHILL, MA

**MGN**Newell

PROJECT TITLE

PKO STORAGE AND HOT WATER SE

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DATE: 01/11/2024

SCALE: NA

QUANTITY: 1

SIZE: D

INDUSTRIES SERVED: FOOD & BEVERAGE

TOLERANCE: UNLESS OTHERWISE SPECIFIED

PROJECT DESCRIPTION: PKO STORAGE AND HOT WATER SE

PROJECT NUMBER: 24G0074-01.4

P&ID

DRAWING NUMBER

DATE

BY

CHECKED BY

316 SS

JAB

1

D

NA

FOOD & BEVERAGE

UNLESS OTHERWISE SPECIFIED

TOLERANCE: UNLESS OTHERWISE SPECIFIED

PKO STORAGE AND HOT WATER SE

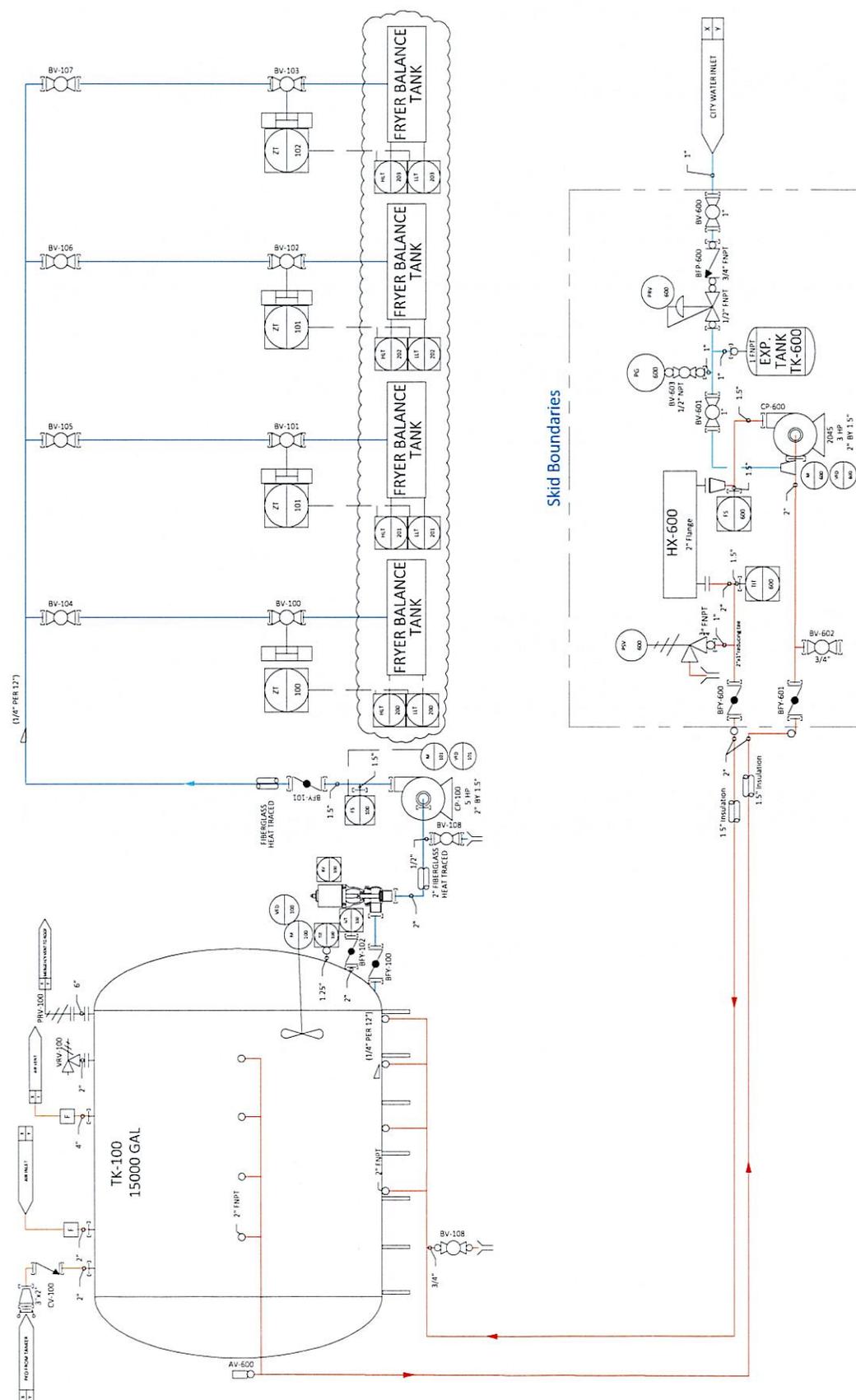
PROJECT NUMBER: 24G0074-01.4

P&ID

DRAWING NUMBER

DATE

BY



1. VERIFY ALL DIMENSIONS WITH EQUIPMENT

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HAVERHILL, MA

**MGN**Newell

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WITHOUT THE EXPRESS WRITTEN CONSENT OF MGN NEWELL CONSULTING

DATE: 01/11/2024

SCALE: NA

QUANTITY: 1

SIZE: D

INDUSTRIES SERVED: FOOD & BEVERAGE

TOLERANCE: UNLESS OTHERWISE SPECIFIED

PROJECT DESCRIPTION: PKO STORAGE AND HOT WATER SE

PROJECT NUMBER: 24G0074-01.4

P&ID

DRAWING NUMBER

DATE

BY

316 SS

JAB

1

D

NA

FOOD & BEVERAGE

UNLESS OTHERWISE SPECIFIED

TOLERANCE: UNLESS OTHERWISE SPECIFIED

PKO STORAGE AND HOT WATER SE

PROJECT NUMBER: 24G0074-01.4

P&ID

DRAWING NUMBER

DATE

BY

**GENERAL NOTES**

1. VERIFY ALL DIMENSIONS WITH EQUIPMENT

CUSTOMER

CREEK BROOK  
HAVERHILL, MA



PROJECT TITLE

PKO STORAGE AND HOT WATER SE

REV	DESCRIPTION	BY	DATE
1	INITIAL DRAWING	JAB	5/7/20

REVISIONS

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MATERIAL

316 SS

QUANTITY

1

SIZE

D

SCALE

NA

DATE PLOTTED: 5/11/2020 10:45:11 AM  
DRAWN BY: JAB  
CHECKED BY: NA

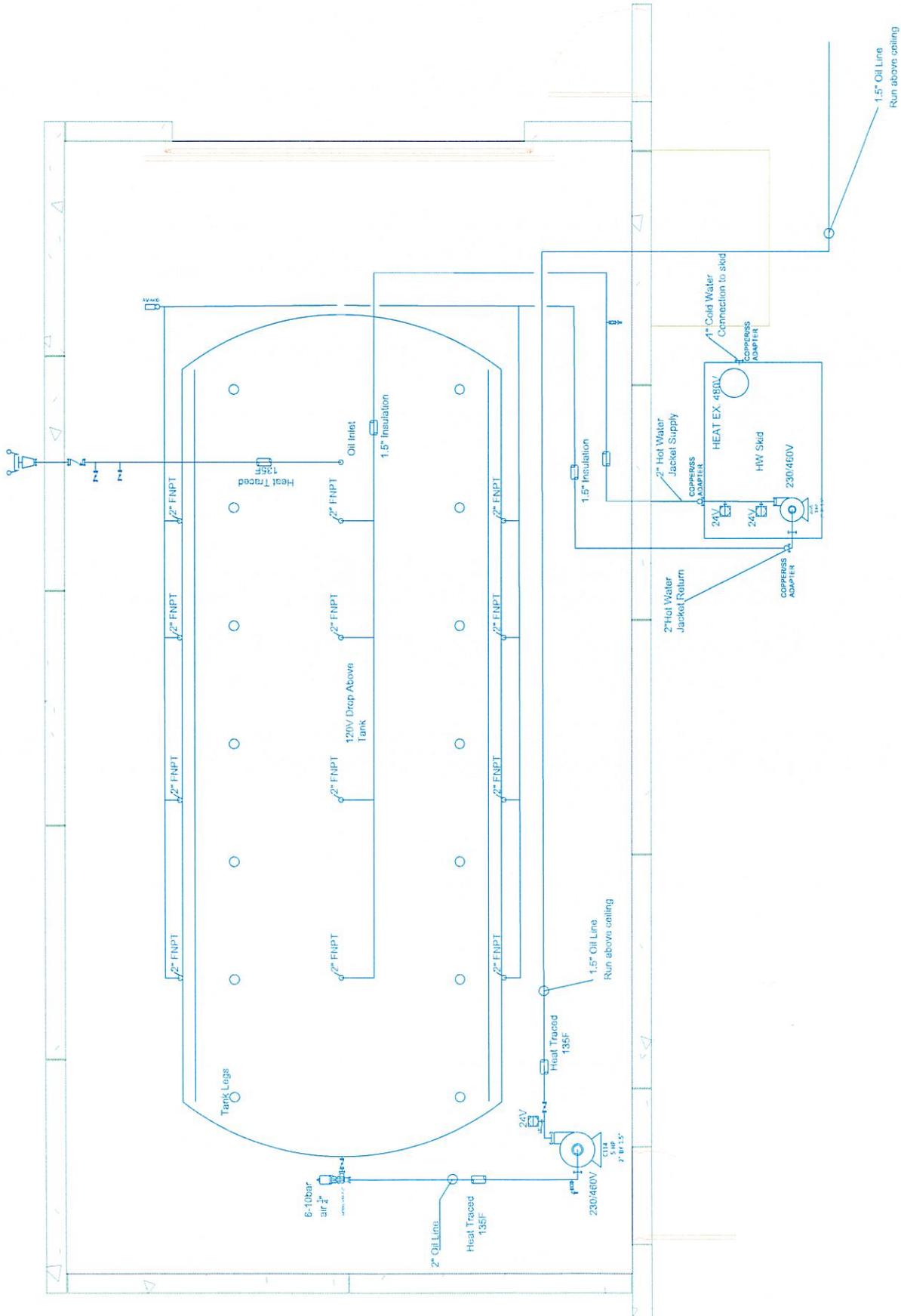


DRAWING DESCRIPTION

LAYOUT

DRAWING NUMBER

24G0074-01.5





# Safety Data Sheet

## \*\*\* Section 1 - Product and Company Identification \*\*\*

**Material Name:** Edible Shortenings and Oils

**Synonyms/Other Common Names:** Canola oil, Linseed oil, Corn oil, Soybean oil, Cottonseed oil, Peanut Oil, Palm kernel oil, Copra, Olive oil, Tallow oil, Lard, Palm oil, Sunflower Oil.

**Recommended Use & Restrictions:** Food additive, Emulsifier

**Manufacturer Information:**

Bunge North America  
1391 Timberlake Manor Parkway  
Chesterfield, MO 63017

Phone: 314-292-2000 between 7:30 AM – 5:30 PM Central Time  
Fax: 314-292-2384

**Emergency Information:**

In the event of an Emergency, contact Chemtrec at 1-800-424-9300

## \*\*\* Section 2 – Hazard(s) Identification \*\*\*

**Hazard classification:** Not a dangerous substance according to GHS. The substance does not meet the criteria for classification.

**Hazard Statement(s):** Excessive inhalation of oil mist may affect the respiratory system. Sensitive individuals may experience dermatitis after prolonged exposure of oil on the skin.

**Potential Health Effects:**

**Eyes:** None expected under anticipated use conditions. May cause irritation in sensitive individuals.

**Skin:** None expected under anticipated use conditions. May cause irritation in sensitive individuals.

**Ingestion:** None expected under anticipated use conditions. May cause irritation in sensitive individuals.

**Inhalation:** Excessive inhalation of oil mist may affect the respiratory system.

**Carcinogenicity and Reproductive Hazard:** None of this product's components are listed by ACGIH, IARC, OSHA, NIOSH, or NTP.

**Medical Conditions aggravated by exposure to product:** Excessive inhalation of oil mist may affect the respiratory system. Sensitive individuals may experience dermatitis after prolonged exposure of oil on the skin.

**HMIS Ratings: Health: 1 Fire: 1 HMIS Reactivity 0**

Hazard Scale: 0 = Minimal 1 = Slight 2 = Moderate 3 = Serious 4 = Severe \* = Chronic hazard

**Label Elements:** Not required

**Signal Word:** Not required

## \*\*\* Section 3 - Composition / Information on Ingredients \*\*\*

CAS #	Component (Chemical Name & Common Name)	Concentration
120962-03-0	Canola oil	
8001-26-1	Linseed oil	
8001-30-7	Corn oil	
8001-22-7	Soybean oil	
8001-29-4	Cottonseed oil	
8002-03-7	Peanut Oil	
8023-79-8	Palm kernel oil	
8001-31-8	Copra	
8001-25-0	Olive oil	
61789-97-9	Tallow oil	
61789-99-9	Lard	
8002-75-3	Palm oil	
8001-21-6	Sunflower oil	
	Algae oil	

# Safety Data Sheet

## \*\*\* Section 4 - First Aid Measures \*\*\*

**Eyes:** If necessary, rinse eyes with water.

**Skin:** Wash with soap and water.

**Ingestion:** None necessary.

**Inhalation:** Remove to fresh air.

**Most important symptoms/effects (acute & delayed):** Acute eye contact requires rinsing. No delayed effects anticipated.

## \*\*\* Section 5 - Fire Fighting Measures \*\*\*

**General Fire Hazards:** See Section 9 for Flammability Properties.

**Hazardous Combustion Products:** Not Determined

**Extinguishing Media:** Foam, CO2 or dry chemical. Because water can spread the fire, it is advisable to avoid a direct water stream for extinguishing the fire.

**Fire Fighting Equipment/Instructions:** Firefighters should wear full protective gear.

**NFPA Ratings: Health: 1 Fire: 1 Reactivity: 0**

Hazard Scale: 0 = Minimal 1 = Slight 2 = Moderate 3 = Serious 4 = Severe

## \*\*\* Section 6 - Accidental Release Measures \*\*\*

**Evacuation Procedures/ Containment Procedures:** Isolate area. Keep unnecessary personnel away. No special containment procedures necessary.

**Clean-Up Procedures:** For small spills, add solid adsorbent, shovel into disposable container and hose down area. Do not use incompatible clay adsorbents to avoid the possibility of spontaneous combustion. Clean area with detergent. For large spills, squeegee or pump into holding container. Clean area with detergent. Dispose of in accordance with local, state, and Federal regulations.

## \*\*\* Section 7 - Handling and Storage \*\*\*

**Handling Procedures:** Use appropriate protective equipment when handling hot oils.

**Storage Procedures:** Store away from flame and excessive heat. To avoid spontaneous fire, store wiping rags and similar material in UL/FM approved containers with tight fitting lids. Spilled product presents a slip hazard.

## \*\*\* Section 8 - Exposure Controls / Personal Protection \*\*\*

### Exposure Limits:

Chemical	ACGIH (TWA & Ceiling)	OSHA (PEL)	NIOSH (REL)
Vegetable oil mist (CAS No. 68956-68-3)	As PNOS guidelines: 3 mg/m3 (respirable) 10 mg/m3 (inhalable)	TWA 15 mg/m3 (total) TWA 5 mg/m3 (respirable)	TWA 10 mg/m3 (total) TWA 5 mg/m3 (respirable)

**Engineering Controls:** Ventilation should be provided in areas where hot oil is being used.

### PERSONAL PROTECTIVE EQUIPMENT

**Eyes/Face:** Wear safety glasses; chemical goggles (if splashing is possible).

**Skin:** If handling containers of hot oil, insulated gloves and apparel may be required.

**Respiratory:** If exposed to oil mist, an appropriate NIOSH approved respirator for organic vapors may be required.

**General:** Eye wash fountain and emergency showers are recommended.

# Safety Data Sheet

## \*\*\* Section 9 - Physical & Chemical Properties \*\*\*

<b>Appearance:</b>	Liquid, yellow-brown
<b>Odor:</b>	NA
<b>Odor Threshold:</b>	ND
<b>pH:</b>	ND
<b>Melting Point/Freezing Point:</b>	ND
<b>Initial Boiling Point and Boiling Range:</b>	NA
<b>Flash point:</b>	>500 °F
<b>Evaporation Rate:</b>	ND
<b>Flammability (solid/gas):</b>	ND
<b>Upper/Lower Flammability/Explosive Limits (UFL/LFL):</b>	>1
<b>Vapor Pressure:</b>	NA
<b>Vapor Density:</b>	NA
<b>Specific Gravity:</b>	0.70-0.95
<b>Relative Density:</b>	ND
<b>Solubility(ies):</b>	Insoluble
<b>Partition Coefficient (n-octanol/water):</b>	ND
<b>Auto-ignition temperature:</b>	ND
<b>Decomposition temperature:</b>	ND
<b>Viscosity:</b>	ND

## \*\*\* Section 10 - Chemical Stability & Reactivity Information \*\*\*

**Chemical Stability:** This is a stable material.

**Possibility of Hazardous Reactions:** Will not occur.

**Conditions to Avoid (e.g., static discharge, shock, or vibration):** None

**Incompatible materials:** None

**Hazardous Decomposition products:** None

## \*\*\* Section 11 - Toxicological Information \*\*\*

**Likely routes of exposure (inhalation, ingestion, skin and eye contact):** Eyes, skin, ingestion, inhalation.

**Description of immediate, delayed or chronic effects from short or long-term exposure:** None anticipated

**Numerical measures of toxicity (LD50/LC50)**

**Cottonseed oil (8001-29-4)**

Oral LD50 Rat: >90 mL/kg

**Corn oil (8001-30-7)**

Oral LD50 Rat: >100 mL/kg

**Copra (8001-31-8)**

Oral LD50 Rat: >5000 mg/kg

**Palm oil (8002-75-3)**

Oral LD50 Rat: >18000 mg/kg

**Palm kernel oil (8023-79-8)**

Oral LD50 Rat: >5000 mg/kg

**Listed in NTP report on Carcinogens, or identified as potential carcinogen by IARC or OSHA:** None of this product's components are listed by ACGIH, IARC, OSHA, NIOSH, or NTP.

# Safety Data Sheet

**\*\*\* Section 12 - Ecological Information \*\*\* (non-mandatory)**

**Ecotoxicity**

**A. General Product Information**

**B. Component Analysis - Ecotoxicity - Aquatic Toxicity:** No ecotoxicity data are available for this product's components.

**\*\*\* Section 13 - Disposal Considerations \*\*\* (non-mandatory)**

**US EPA Waste Number & Descriptions:** No EPA Waste Numbers are applicable for this product's components.

**Disposal Instructions:**

All wastes must be handled in accordance with local, state and federal regulations.

See Section 7 for Handling Procedures. See Section 8 for Personal Protective Equipment recommendations.

**\*\*\* Section 14 - Transportation Information \*\*\* (non-mandatory)**

**US DOT Information**

**Shipping Name:** Not Regulated

**\*\*\* Section 15 - Regulatory Information \*\*\* (non-mandatory)**

**US Federal Regulations:** None of this products components are listed under SARA Section 302 (40 CFR 355 Appendix A), SARA Section 313 (40 CFR 372.65), or CERCLA (40 CFR 302.4).

**Component Analysis - State**

The following components appear on one or more of the following state hazardous substances lists:

**State/Provincial Regulations:**

The following components appear on one or more of the following state hazardous substances lists:

Component	CAS	CA	MA	MN	NJ	PA	RI
Linseed oil	8001-26-1	No	No	No	No	Yes	Yes
Corn oil	8001-30-7	No	No	No	No	Yes	Yes
Soybean oil	8001-22-7	No	No	No	No	Yes	Yes
Cottonseed oil	8001-29-4	No	No	No	No	Yes	Yes
Peanut Oil	8002-03-7	No	No	No	No	Yes	Yes
Tallow oil	61789-97-9	No	No	No	No	Yes	Yes

**Additional Regulatory Information**

**Component Analysis – Inventory**

Component	CAS #	TSCA	CAN	EEC
Canola oil	120962-03-0	Yes	DSL	No
Linseed oil	8001-26-1	Yes	DSL	EINECS
Corn oil	8001-30-7	Yes	DSL	EINECS
Soybean oil	8001-22-7	Yes	DSL	EINECS
Cottonseed oil	8001-29-4	Yes	DSL	EINECS
Peanut Oil	8002-03-7	Yes	DSL	EINECS
Palm kernel oil	8023-79-8	Yes	DSL	EINECS
Copra	8001-31-8	Yes	DSL	EINECS
Olive oil	8001-25-0	Yes	DSL	EINECS
Tallow oil	61789-97-9	Yes	DSL	EINECS
Lard	61789-99-9	Yes	DSL	EINECS
Palm oil	8002-75-3	Yes	DSL	EINECS
Sunflower oil	8001-21-6	Yes	DSL	EINECS

# Safety Data Sheet

## \*\*\* Section 16 - Other Information \*\*\*

### Other Information

Bunge believes, to the best of its knowledge, that the information contained herein is accurate as of the date hereof. However, as the conditions or methods of use are beyond our control, we do not assume any responsibility and expressly disclaim any liability for any use of the material. MOREOVER, NO REPRESENTATIONS OR WARRANTIES, EITHER EXPRESSED OR IMPLIED, OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR OF ANY OTHER NATURE ARE MADE HEREIN AS TO THE INFORMATION PROVIDED OR THE PRODUCT TO WHICH THE INFORMATION REFERS. The health and safety precautions contained herein may not be adequate for all individuals and/or situations. It is the user's obligation to evaluate and use this product safely. Users should satisfy themselves that they have all current data relevant to their particular use and that their activities comply with all applicable laws.

### Key/Legend

NA - Not Applicable  
ND - Not Determined  
ACGIH - American Conference of Governmental Industrial Hygienists  
OSHA - Occupational Safety and Health Administration  
TLV - Threshold Limit Value  
PEL - Permissible Exposure Limit  
TWA - Time Weighted Average  
STEL - Short Term Exposure Limit  
NTP - National Toxicology Program  
IARC - International Agency for Research on Cancer

**Revision Date: 6/1/2017**

**Prepared by: Rick Hendricks**

548-1-1  
CITY OF HAVERHILL  
NORTH BROADWAY  
HAVERHILL, MA 01830

548-1-2  
LANGLOIS STEPHEN E ETUX  
490 NORTH BROADWAY  
HAVERHILL, MA 01832

548-1-3B  
THE HEISELER FAMILY REVOCABLE TRUST  
450 NORTH BROADWAY  
HAVERHILL, MA 01832

548-1-3C-2B  
DELLECHIAIE JEFFREY D-ETUX  
460 NORTH BROADW WAY  
HAVERHILL, MA 01832

548-1-40  
SDS DEVELOPMENT, LLC  
420 NORTH BROADWAY  
KINGSTON, NH 03848

548-1-10A  
HANS KISSLE COMPANY, LLC  
9 CREEK BROOK DR  
HAVERHILL, MA 01832

548-1-3  
WILSON SEAN ALAN  
452 NORTH BROADWAY  
HAVERHILL, MA 01830

548-1-3C-2  
GOLDENROD INC  
20 CREEK BROOK DR  
PARSIPPANY, NJ 07054

548-1-3C-2C  
SOLARES SERGIO A  
456 NORTH BROADW WAY  
HAVERHILL, MA 01832

548-1-6  
362 NORTH BROADWAY IRREVOCABLE  
362 NORTH BROADWAY  
HAVERHILL, MA 01832

548-1-10A-4  
AREIT RESEARCH DRIVE LC LLC  
64 RESEARCH DR  
DENVER, CO 80202

548-1-3A  
430 NORTH BROADWAY RLTY TR  
430 NORTH BROADWAY  
HAVERHILL, MA 01832

548-1-3C-2A-2  
MAR FIBERTECH TWO LLC  
30 CREEK BROOK DR  
NEEDHAM, MA 02492

548-1-4  
HUNTER THOMAS J  
426 NORTH BROADWAY  
HAVERHILL, MA 01832

	A	B	C	D	E	F	G	H	I
	ParcelID	StreetNum	StreetName	LocCity	Owner1	BillingAddress	City	State	Zip
1	548-1-1		NORTH BROADWAY	HAVERHILL	CITY OF HAVERHILL	4 SUMMER ST	HAVERHILL	MA	01830
2	548-1-10A	9	CREEK BROOK DR	HAVERHILL	HANS KISSLE COMPANY, LLC	9 CREEK BROOK DR	HAVERHILL	MA	01832
3	548-1-10A-4	64	RESEARCH DR	HAVERHILL	AREIT RESEARCH DRIVE LC LLC	1200 17TH ST, Unit 2900	DENVER	CO	80202
4	548-1-2	490	NORTH BROADWAY	HAVERHILL	LANGLOIS STEPHEN E ETUX	490 NORTH BROADWAY	HAVERHILL	MA	01832
5	548-1-3	452	NORTH BROADWAY	HAVERHILL	WILSON SEAN ALAN	452 NORTH BROADWAY	HAVERHILL	MA	01830
6	548-1-3A	430	NORTH BROADWAY	HAVERHILL	430 NORTH BROADWAY RLTY TR	430 NO BROADWAY	HAVERHILL	MA	01832
7	548-1-3B	450	NORTH BROADWAY	HAVERHILL	THE HEISELER FAMILY REVOCABLE TRUST	450 NORTH BROADWAY	HAVERHILL	MA	01832
8	548-1-3C-2	20	CREEK BROOK DR	HAVERHILL	GOLDENROD INC	6 CENTURY DR., SUITE 310	PARSIPPANY	NJ	07054
9	548-1-3C-2A-2	30	CREEK BROOK DR	HAVERHILL	MAR FIBERTECH TWO LLC	20 PICKERING ST, STE 200	NEEDHAM	MA	02492
10	548-1-3C-2B	460	NORTH BROADWAY	HAVERHILL	DELLECHIAIE JEFFREY D-ETUX	460 NORTH BROADWAY	HAVERHILL	MA	01832
11	548-1-3C-2C	456	NORTH BROADWAY	HAVERHILL	SOLARES SERGIO A	456 NORTH BROADWAY	HAVERHILL	MA	01832
12	548-1-4	426	NORTH BROADWAY	HAVERHILL	HUNTER THOMAS J	426 NO BROADWAY	HAVERHILL	MA	01832
13	548-1-40	420	NORTH BROADWAY	HAVERHILL	SDS DEVELOPMENT, LLC	4 GRANITE RD	KINGSTON	NH	03848
14	548-1-6	362	NORTH BROADWAY	HAVERHILL	362 NORTH BROADWAY IRREVOCABLE	362 NORTH BROADWAY	HAVERHILL	MA	01832

## Kaitlin Wright

---

**From:** North of Boston <noreply@wave2adportal.com>  
**Sent:** Friday, November 14, 2025 10:35 AM  
**To:** CityClerk  
**Cc:** cmacdonald@northofboston.com; Kaitlin Wright  
**Subject:** Thank you for placing your order with us.

**Warning! External Email. Exercise caution when opening attachments or clicking on any links.**  
**THANK YOU for your notice submission!**

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

### Job Details

Order Number:  
**W0139320**  
Business Type:  
All Other Public Notices  
Notice Size:  
Public Notices  
Notice Estimate:  
\$480.20  
Referral Code:  
**SPFL-25-3 30 Creek Brook Dr**

### Account Details

Haverhill Clerk  
4 SUMMER ST STE 118  
HAVERHILL, MA □ 01830  
978-374-2312  
cityclerk@cityofhaverhill.com  
HAVERHILL CITY CLERK

### Schedule for notice number W01393200

**Wed Nov 19, 2025**  
**The Eagle-Tribune Public Notices**  
*All Zones*  
**Mon Nov 24, 2025**  
**The Eagle-Tribune Public Notices**  
*All Zones*

#### **PUBLIC HEARING**

City Council Chambers, City Hall,  
Room 202, 4 Summer st

Notice is hereby given that the following application for a license to store, keep, and use INFLAMMABLE LIQUIDS has been made to the City Clerk and the City Council will conduct a hearing for all parties interested, in a hybrid meeting (virtual/in person), on Tuesday, October 28, 2025; at 7:00 PM. This notice is given under the provisions of Chapter 148 of the General Laws – JT Couch on behalf of Creek Brook CML (SPFL-25-3); requesting to store 19,000 gallons of Class 3B edible shortening oil and 12,700 gallons of Class II Diesel Fuel in above ground storage tanks at 30 Creek Brook Dr.

(Residents who are interested in commenting on this item can either (1) Attend in person (Council Chambers, Room 202) or (2) Attend remotely using the link provided on the public meeting calendar on the City's website.)

Description of area, maps and plans are on file in the City Clerk's Office.

Kaitlin M. Wright, CMC  
City Clerk  
ET - Publication Dates

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# Haverhill

City Clerk's Office, Room 118  
Phone: 978-374-2312 Fax: 978-373-8490  
[cityclerk@haverhillma.gov](mailto:cityclerk@haverhillma.gov)

NOV 14 AM 10:20  
HAUCITYCLERK

November 14, 2025

## PUBLIC HEARING

City Council Chambers, City Hall, Room 202, 4 Summer st

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*(Residents who are interested in commenting on this item can either (1) Attend in person (Council Chambers, Room 202) or (2) Attend remotely using the link provided on the public meeting calendar on the City's website.)*

Description of area, maps and plans are on file in the City Clerk's Office.

Advertise: November 19 & November 24, 2025  
The Eagle Tribune

Kaitlin M. Wright, CMC  
City Clerk

## Kaitlin Wright

---

**From:** JT <JT@creekbrookcml.com>  
**Sent:** Monday, February 2, 2026 9:04 AM  
**To:** Kaitlin Wright  
**Subject:** Re: Continuance

**Warning! External Email. Exercise caution when opening attachments or clicking on any links.**

Hi Kaitlin,

Thanks for the call earlier. To recap, we would kindly ask for a continuance from this Feb 3rd meeting to the Feb 24<sup>th</sup> meeting. Please let me know if there is anything else I can provide.

Thank you,

JT Couch

Director of Engineering and Maintenance

Creek Brook CML

30 Creek Brook Drive | Haverhill, MA 01832

O: (978)-207-4005

M: (978)-945-1997

Mail to: jt@creekbrookcml.com

www.creekbrookcml.com



FEB 2 AM 9:28  
HAVCITYCLERK

---

**From:** Kaitlin Wright <kwright@haverhillma.gov>  
**Sent:** Tuesday, December 23, 2025 9:58 AM  
**To:** JT <JT@creekbrookcml.com>  
**Subject:** RE: Continuance

Hi JT,

Thank you for your email. I will pass this along to the Councilors.

They will vote on the 13<sup>th</sup> of January to continue to February 3<sup>rd</sup> meeting.

Merry Christmas!

All my best,

Kaitlin

**Kaitlin M. Wright, CMC**

10.2

**Document # 5-B**

Bill Pillsbury, Economic Development and Planning Director, requests Zoning Amendment – Battery Energy Storage System

*Continued from December 2, 2025*

**IN CITY COUNCIL:** January 13, 2026

**CONTINUED TO:** January 27, 2026

**10 YEARS, 0 NAYS, 1 ABSENT, 1 ABSTENTATION**

Attest: Kaitlin M. Wright  
Kaitlin M. Wright, CMC  
City Clerk

IN CITY COUNCIL: JANUARY 27, 2026  
CONTINUED TO: FEBRUARY 24, 2026

ATTEST: Kaitlin M. Wright  
CITY CLERK

## Kaitlin Wright

---

**From:** Jacki Byerley  
**Sent:** Friday, January 23, 2026 11:06 AM  
**To:** Kaitlin Wright; Lisa Mead; Tim Jordan  
**Cc:** Mayor; Lori Robertson; Christine Lindberg; Natalia Hernandez  
**Subject:** RE: BESS Zoning Hearing

Hi Kaitlin, these regulations are still being reviewed and won't be ready for January 27<sup>th</sup> Council meeting. Can you please continue this to the February 24<sup>th</sup> meeting?

Thank you,  
Jacki

---

**From:** Kaitlin Wright <[kwright@haverhillma.gov](mailto:kwright@haverhillma.gov)>  
**Sent:** Thursday, January 22, 2026 3:30 PM  
**To:** Lisa Mead <[lisa@mtclawyers.com](mailto:lisa@mtclawyers.com)>; Tim Jordan <[tjordan@haverhillma.gov](mailto:tjordan@haverhillma.gov)>  
**Cc:** Mayor <[mayor@haverhillma.gov](mailto:mayor@haverhillma.gov)>; Lori Robertson <[lrobertson@haverhillma.gov](mailto:lrobertson@haverhillma.gov)>; Christine Lindberg <[clindberg@haverhillma.gov](mailto:clindberg@haverhillma.gov)>; Natalia Hernandez <[NHernandez@HaverhillMa.gov](mailto:NHernandez@HaverhillMa.gov)>; Jacki Byerley <[JByerley@HaverhillMa.gov](mailto:JByerley@HaverhillMa.gov)>  
**Subject:** RE: BESS Zoning Hearing

Hi Lisa,

We are preparing the Council agenda for the January 27<sup>th</sup> meeting.

Wondering if the Battery Energy Storage System is ready to be heard on the 27<sup>th</sup> or if you think it will be continued again? If it needs to be continued, I will include that in the agenda packet.

All my best,

Kaitlin

**Kaitlin M. Wright, CMC**

*City Clerk*

4 Summer Street, Room 118

Office: (978) 374-2312

Fax: (978) 373-8490

[kwright@haverhillma.gov](mailto:kwright@haverhillma.gov)

10.3

**Document # 5 - B**

William Pillsbury, *Economic Development and Planning Director*, requests Zoning Amendment  
- Battery Energy Storage Systems

Continued from August 5, 2025

IN CITY COUNCIL: SEPTEMBER 30, 2025

**COUNCIL VOTED TO CONTINUED TO DECEMBER 2, 2025  
MEETING**

**10 YEAS, 0 NAYS, 1 ABSENT, 0 ABSTENTATION**

Attest: Kaitlin M. Wright  
Kaitlin M. Wright, CMC  
City Clerk

IN CITY COUNCIL: DECEMBER 2, 2025  
VOTED TO CONTINUE TO JANUARY 13, 2026

ATTEST: Kaitlin M. Wright  
CITY CLERK

10-1

**Kaitlin Wright**

---

**From:** Lisa Mead <lisa@mtclawyers.com>  
**Sent:** Wednesday, November 19, 2025 1:51 PM  
**To:** Kaitlin Wright; Thomas J Sullivan, Esq.; Thomas J. Sullivan  
**Cc:** William Pillsbury; Mayor; Lori Robertson; Christine Lindberg; Natalia Hernandez; Jacki Byerley  
**Subject:** RE: BESS Zoning Hearing

**Warning! External Email. Exercise caution when opening attachments or clicking on any links.**

The 14<sup>th</sup> please

13th

Lisa L. Mead

[she/her/hers]



Mead, Talerma & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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---

**From:** Kaitlin Wright <kwright@haverhillma.gov>  
**Sent:** Wednesday, November 19, 2025 12:53 PM  
**To:** Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>; Lisa Mead <lisa@mtclawyers.com>; Thomas J. Sullivan <tsullivan@haverhillma.gov>  
**Cc:** William Pillsbury <wpillsbury@haverhillma.gov>; Mayor <mayor@haverhillma.gov>; Lori Robertson <lrobertson@haverhillma.gov>; Christine Lindberg <clindberg@haverhillma.gov>; Natalia Hernandez



Hearing March 18, 2025

# Haverhill

Economic Development and Planning  
Phone: 978-374-2330 Fax: 978-374-2315  
wpillsbury@HaverhillMA.gov

DATE: January 7, 2025

MEMO TO: City Council President Thomas Sullivan and members of the Haverhill City Council

FROM: William Pillsbury, Economic Development and Planning Director

**RE: Zoning Amendment- Battery Energy Storage Systems**

Attached please find a proposed zoning ordinance amendment prepared by City Solicitor Lisa Mead. The proposed amendment creates a regulatory framework and necessary tools for detailed and thorough review of any applications filed to create Battery storage facilities.

I request that the council refer the proposed ordinance to the planning board for a hearing to be held on February 12, 2025, and also schedule a hearing before the council on the proposed amendment shortly thereafter.

Thank you for your attention to this matter.

**RECOMMENDATION: Refer the proposed amendment to the Planning BOARD FOR A HEARING ON FEBRUARY 12, 2025 and schedule a hearing on the city council agenda shortly thereafter.**

IN CITY COUNCIL: January 7 2025  
REFER TO PLANNING BOARD AND VOTED THAT  
COUNCIL HEARING BE HELD MARCH 18 2025

Attest: Kathie M. Dwyer City Clerk

IN CITY COUNCIL: March 18 2025  
HEARING CONTINUED TO APRIL 29 2025

Attest: Kathie M. Dwyer City Clerk

IN CITY COUNCIL: April 29 2025  
HEARING CONTINUED TO JUNE 3 2025

Attest: Kathie M. Dwyer City Clerk

IN CITY COUNCIL: June 3 2025  
REQUEST TO CONTINUE BY CITY SOLICITOR TO JULY 8 2025

Attest: Kathie M. Dwyer City Clerk

IN CITY COUNCIL: July 8 2025  
REQUEST TO CONTINUE TO AUGUST 5 2025  
Attest: .

Kathie M. Dwyer City Clerk

IN CITY COUNCIL: August 5 2025  
CONTINUE TO SEPTEMBER 30, 2025

Attest: Kathie M. Dwyer City Clerk

JAN 2 4:41  
Haverhill City Clerk

5

## Kaitlin Wright

---

**From:** Lisa Mead <lisa@mtclawyers.com>  
**Sent:** Wednesday, September 24, 2025 4:56 PM  
**To:** Kaitlin Wright; Thomas J Sullivan, Esq.  
**Cc:** William Pillsbury; Mayor; Lori Robertson  
**Subject:** RE: BESS Zoning Hearing

**Warning! External Email. Exercise caution when opening attachments or clicking on any links.**

This will need to be continued to the first meeting in December. I believe that is what we discussed Mayor, correct?

Lisa

Lisa L. Mead

[she/her/hers]



Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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**From:** Kaitlin Wright <kwright@haverhillma.gov>  
**Sent:** Wednesday, September 24, 2025 4:39 PM  
**To:** Lisa Mead <lisa@mtclawyers.com>; Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>  
**Cc:** William Pillsbury <wpillsbury@haverhillma.gov>; Mayor <mayor@haverhillma.gov>; Lori Robertson

## Kaitlin Wright

---

**From:** Lisa Mead <lisa@mtclawyers.com>  
**Sent:** Thursday, July 31, 2025 4:48 PM  
**To:** Thomas J Sullivan, Esq.  
**Cc:** Kaitlin Wright; William Pillsbury; Mayor; Lori Robertson  
**Subject:** RE: BESS Zoning Hearing

**Warning! External Email. Exercise caution when opening attachments or clicking on any links.**  
Go to the last meeting in September.

Lisa L. Mead

[she/her/hers]



Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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 Think before you print.

---

**From:** Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>  
**Sent:** Thursday, July 31, 2025 4:31 PM  
**To:** Lisa Mead <lisa@mtclawyers.com>  
**Cc:** Kaitlin Wright <kwright@haverhillma.gov>; William Pillsbury <wpillsbury@haverhillma.gov>; Mayor <mayor@haverhillma.gov>; Lori Robertson <lrobertson@haverhillma.gov>  
**Subject:** Re: BESS Zoning Hearing

**Kaitlin Wright**

10.2

**From:** Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>  
**Sent:** Thursday, July 3, 2025 11:29 AM  
**To:** Lisa Mead; Kaitlin Wright; William Pillsbury  
**Cc:** Mayor; Lori Robertson  
**Subject:** RE: BESS Zoning Hearing

**Warning! External Email. Exercise caution when opening attachments or clicking on any links.**

Hi,

Let's continue until the first meeting in August please.

TY!

August 5, 2025

Tom

Thomas J. Sullivan, Esq.  
Downey Law Group, LLC  
[tsullivan@dlgclosing.com](mailto:tsullivan@dlgclosing.com)

Main Office and Mailing Address:  
462 Boston Street  
Topsfield, MA 01983  
Phone: (978) 887-1000  
Fax: (978) 887-1021



Satellite Office:  
345 Main Street  
Haverhill, MA 01830  
Phone: 978-373-2200

**From:** Lisa Mead <lisa@mtclawyers.com>  
**Sent:** Thursday, July 3, 2025 11:25 AM  
**To:** Kaitlin Wright <kwright@haverhillma.gov>; Thomas J Sullivan, Esq. <tsullivan@dlgclosing.com>; William Pillsbury <wpillsbury@haverhillma.gov>  
**Cc:** Mayor <mayor@haverhillma.gov>; Lori Robertson <lrobertson@haverhillma.gov>  
**Subject:** RE: BESS Zoning Hearing

Please continue it again, we are waiting to hear from the developer. I would take it out a month.

Lisa L. Mead

[she/her/hers]

## Kaitlin Wright

---

**From:** Lisa Mead <lisa@mtclawyers.com>  
**Sent:** Sunday, June 1, 2025 7:22 PM  
**To:** Thomas J Sullivan, Esq.; Thomas J. Sullivan; Kaitlin Wright  
**Cc:** William Pillsbury; Mayor  
**Subject:** BESS Zoning

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Tom,

Please continue this public hearing to your first meeting in July. We are waiting to hear back from the developers.

Thank you,

Lisa

Lisa L. Mead

[she/her/hers]



Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

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 Think before you print.

## Kaitlin Wright

---

**From:** William Pillsbury  
**Sent:** Monday, April 28, 2025 11:30 AM  
**To:** Kaitlin Wright  
**Cc:** Mayor; Lori Robertson; Lisa Mead  
**Subject:** Request to postpone Zoning hearing on Battery Storage

Hi Kaitlin: At the request of City Solicitor Lisa Mead after discussion with President Sullivan, please accept this request to postpone the hearing on the Battery Energy Storage Systems (BESS) to the meeting of June 3<sup>rd</sup>. Thanks for your attention to this matter.

William Pillsbury  
Economic Development and Planning Director

APR 28 AM 11:31  
HAWCITYCLERK

#4 ✓

10.2.1.4

**Maria Bevilacqua**

---

**To:** HGLegals@hgazette.com  
**Cc:** Kaitlin Wright  
**Subject:** Hearing - Zoning Amendment-add new section 7.9 Battery Energy Storage Systems  
**Attachments:** Hearing Zoning 2025 - Add new section 7.9 Battery Energy Storage Systems-Gazette Feb 20 & 27 2025.docx

Afternoon:

Please run this Hearing ad 2 times in the Gazette – Feb 20 & 27, 2025. Hearing Zoning Amendment – add a new section 7.9 Battery Energy Storage Systems.

Questions - please contact me at 978-420-3624.

Thank you!

Maria Bevilacqua

City Clerk's Office  
Room 118  
4 Summer st  
Haverhill, MA 01830



# Haverhill

City Clerk's Office, Room 118  
Phone: 978-420-3623 Fax: 978-373-8490  
cityclerk@cityofhaverhill.com

January 7, 2025

## HYBRID HEARING

City Council Chambers, City Hall, Room 202, 4 Summer st

Notice is hereby given that a hearing will be held for all parties interested, in a hybrid meeting (virtual/in person), on Tuesday, March 18, 2025 at 7:00 pm on a request from Economic Development and Planning Director, William Pillsbury, for a Zoning Amendment – add a new section 7.9 Battery Energy Storage Systems  
REFER TO PLANNING BOARD AND  
COUNCIL HEARING MARCH 18, 2025

*(Residents who are interested in commenting on this item can either (1) Attend in person (Council Chambers, Room 202) or (2) Attend remotely using the link provided on the public meeting calendar on the City's website)*

**Description of area, maps and plans are on file in the City Clerk's Office.**

**Advertise: February 20 & February 27, 2025  
Haverhill Gazette**

Kaitlin M Wright  
City Clerk



**Maria Bevilacqua**

*Hearing*

**From:** North of Boston <noreply@wave2adportal.com>  
**Sent:** Friday, January 10, 2025 4:16 PM  
**To:** Maria Bevilacqua; Maria Bevilacqua  
**Subject:** Thank you for placing your order with us.  
**Attachments:** W01296210.pdf

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**Job Details**

Order Number:  
**W0129621**  
Business Type:  
All Other Public Notices  
Notice Size:  
Public Notices  
Notice Estimate:  
\$184.62  
Referral Code: *Hearing*  
**7.9 Battery Energy Storage**

**Account Details**

Haverhill Clerk  
4 SUMMER ST STE 118  
HAVERHILL, MA 01830  
978-374-2312  
cityclerk@cityofhaverhill.com  
HAVERHILL CITY CLERK

**Schedule for notice number W01296210**

Thu Feb 20, 2025  
Haverhill Gazette Public Notices  
*All Zones*  
Thu Feb 27, 2025  
Haverhill Gazette Public Notices  
*All Zones*

**HYBRID HEARING**

**City Council Chambers, City Hall, Room 202, 4 Summer st**  
Notice is hereby given that a hearing will be held for all parties interested, in a hybrid meeting (virtual/in person), on Tuesday, March 18, 2025 at 7:00 pm on a request from Economic Development and Planning Director, William Pillsbury, for a Zoning Amendment – Mixed Use  
**REFER TO PLANNING BOARD AND COUNCIL HEARING MARCH 18, 2025**  
**(Residents who are interested in commenting on this item can either (1) Attend in person (Council Chambers, Room 202) or (2) Attend remotely using the link provided on the public meeting calendar on the City's website)**  
**Description of area, maps and plans are on file in the City Clerk's Office.**

Kaitlin M Wright  
City Clerk

HG - Publication Dates

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*This is an automated message, please do not reply to this e-mail. If you have any questions or concerns you may contact us toll-free at 800-681-6248.*

## Maria Bevilacqua

---

**From:** CMacDonald@salemnews.com on behalf of HGLegals@hgazette.com  
**Sent:** Friday, January 10, 2025 4:15 PM  
**To:** Maria Bevilacqua  
**Cc:** Maria Bevilacqua  
**Subject:** Re: Hearing - Zoning Amendment-add new section 7.9 Battery Energy Storage Systems

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Cordially,  
Christa MacDonald  
Haverhill Gazette  
North of Boston Media Group  
978-946-2157  
100 Turnpike St.  
North Andover, MA 01845

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- Please review your proof promptly. If no changes are requested, the notice will print as shown.
- To our pre-pay customers -- payment will be required before publication.

From: "Maria Bevilacqua" <maria@haverhillma.gov>  
To: "HGLegals@hgazette.com" <HGLegals@hgazette.com>  
Cc: "Kaitlin Wright" <kwright@haverhillma.gov>  
Date: 01/07/2025 03:14 PM  
Subject: Hearing - Zoning Amendment-add new section 7.9 Battery Energy Storage Systems

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Afternoon:

Please run this Hearing ad 2 times in the Gazette – Feb 20 & 27, 2025. Hearing Zoning Amendment – add a new section 7.9 Battery Energy Storage Systems.

Questions - please contact me at 978-420-3624.

Thank you!

**Maria Bevilacqua**

Ordinance

**From:** North of Boston <noreply@wave2adportal.com>  
**Sent:** Friday, January 10, 2025 3:59 PM  
**To:** Maria Bevilacqua; Kaitlin Wright  
**Subject:** Thank you for placing your order with us.  
**Attachments:** W01296150.pdf

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**THANK YOU for your notice submission!**

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<p><b>Job Details</b> Order Number: <b>W0129615</b> Business Type: All Other Public Notices Notice Size: Public Notices Notice Estimate: \$46.15 Referral Code: <b>Zoning Ordinance Battery Storage Systems</b></p>	<p><b>Schedule for notice number W01296150</b> Thu Feb 20, 2025 Haverhill Gazette Public Notices All Zones <b>CITY OF HAVERHILL In Municipal Council Municipal Ordinance Chapter</b> An Ordinance re: Zoning - Add new section 7.9 Battery Storage Systems Since this Ordinance exceeds in length eight octavo pages of ordinary book print, in lieu of advertising, it is published by the City Council in a municipal bulletin placed on file in the City Clerk's Office and posted on the municipal bulletin in City Hall. <b>PLACED ON FILE for at least 10 days</b> Attest: Kaitlin M Wright City Clerk HG - February 20 2025</p>
<p><b>Account Details</b> Haverhill Clerk 4 SUMMER ST STE 118 HAVERHILL, MA 01830 978-374-2312 cityclerk@cityofhaverhill.com HAVERHILL CITY CLERK</p>	

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*The North of Boston Media Group reserves the right to alter, edit and omit any notice to meet our editorial guidelines. Any additional charges or credits as a result of this process will be the responsibility of the individual or company submitting the notice.*

*This is an automated message, please do not reply to this e-mail. If you have any questions or concerns you may contact us toll-free at 800-681-6248.*

Maria Bevilacqua

City Clerk's Office

Room 118

4 Summer st

Haverhill, MA 01830[attachment "Hearing Zoning 2025 - Add new section 7.9 Battery Energy Storage Systems-Gazette Feb 20 & 27 2025.docx" deleted by Christa MacDonald/NOB]

16.3

**Document # 5-B**

Ordinance re: Zoning - Add a new section 7.9 Battery Energy Storage Systems

filed January 9, 2025

IN CITY COUNCIL: SEPTEMBER 30, 2025

**CONTINUED TO DEC 2, 2025**

**9 YEAS, 0 NAYS, 1 ABSENT, 1 ABSTENTATION**

Attest: Kaitlin M. Wright  
Kaitlin M. Wright, CMC  
City Clerk

Approved: Melinda E. Barrett  
Melinda E. Barrett, Mayor

5-B

10.1

Filed  
8 Octavo pages

10:201

MUNICIPAL ORDINANCE CHAPTER 255 Zoning

JAN 2 PM 3:41  
HAVCITYCLERK

AN ORDINANCE RELATING TO AMENDING CHAPTER 255, ZONING BY ADDING A NEW SECTION 7.9 BATTERY ENERGY STORAGE SYSTEMS

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 255, Zoning, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows by inserting the following new section 7.9 entitled "Battery Energy Storage Systems";

For Hearing March 18, 2025

§7.9 BATTERY ENERGY STORAGE SYSTEMS

§7.9.1. Purpose.

The purpose of this Section is to advance and protect the public health, safety, welfare, and quality of life by creating regulations for the installation and use of free-standing battery energy storage systems ("BESS"), with the following objectives:

- A. To provide a regulatory scheme for the location, construction and operation of free-standing BESS consistent with best practices and safety protocols;
- B. To ensure compatible land uses in the vicinity of the areas affected by BESS and to mitigate any potential impacts on abutting and nearby properties; and
- C. To mitigate the impacts of BESS on environmental resources such as agricultural lands, forests, wildlife, wetlands and other natural resources.

This Section shall be construed to be consistent with state law, including but not limited to the provisions of General Laws chapter 40A, section 3, and state regulations, including but not limited to the provisions of the State Building Code, State Fire Code, and State Electrical Code. In the event of any conflict between the provisions of this section and the provisions of state law or regulations, the state law and regulations shall prevail.

7.9.2. Definitions.

See "battery energy storage systems" in Section 11.0

7.9.3 Applicability.

- A. The requirements of this ordinance shall apply to BESS permitted, installed, decommissioned or modified after the effective date of this ordinance, excluding general maintenance and repair. BESS subject to this ordinance are only those that exceed the following capacities:

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- Lead-acid with a capacity of greater than 70 kW
- Nickel with a capacity of greater than 70 kW
- Lithium-ion with a capacity of greater than 30 kW
- Sodium nickel chloride with a capacity of greater than 20 kW
- Flow with a capacity of greater than 20 kW
- Other battery technologies with a capacity of greater than 20 kW

B. Only BESS that meet the criteria herein shall be permitted under this ordinance. BESS permitted under and subject to this ordinance shall be classified either as a Tier 1, Tier 2 or Tier 3 BESS as set forth herein. All sizes noted in this section shall include the total capacity of the proposed facility and not refer solely as a limitation on total export. For avoidance of doubt, a proposed system which has an export capacity of 50 MW but has a total storage or redundancy capacity of 100 MW shall be treated as a 100 MW system.

1. Tier 1 BESS have an aggregate capacity less than or equal to 500 kW, derive 51% or more of their power from Solar Energy Systems as defined herein, and, if in a room or enclosed area, consist of only a single energy storage system technology.
2. Tier 2 BESS consist of those which meet one or more of the following criteria;
  - a. have an aggregate energy capacity greater than 500kW and less than 5 MW, but no greater than 5 MW;
  - b. are comprised of more than one storage battery facility in a room or enclosed area;
  - c. derive less than 51% of their power from Solar Energy Systems as defined herein.
3. Tier 3 BESS consist of those which meet one or more of the following criteria;
  - a. have an aggregate capacity greater than 5 MW, but no greater than 200MW;
  - b. are comprised of more than one storage battery facility in a room or enclosed area;
  - c. derive less than 51% of their power from Solar Energy Systems as defined herein.

§ 7.9.4. General Requirements

- A. All permits required by state codes, including but not limited to building permit, an electrical permit, and a fire department permit shall be required for installation of all BESS.
- B. All BESS, all Dedicated Use Buildings, and all other buildings or structures that (a) contain or are otherwise associated with a battery energy storage system; and (b) subject to the requirements of the State Building Code, shall be designed, erected, and installed in accordance with all applicable provisions of the State Building Code

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780 CMR, State Fire Code 527 CMR 1.00, and State Electrical Code 527 CMR 12.00. All BESS shall comply with NFPA 855, Standard for the Installation of Stationary Energy Storage Systems.

C. Energy storage system capacities, including array capacity and separation, are limited to the thresholds contained in NFPA 855.

§ 7.9.5. Permitting Requirements for Tier 1 BESS

Tier 1 BESS are allowed by right in all zoning districts, subject to applicable provisions of the State Building Code, Electrical Code, Fire Code, and other applicable codes, and are subject to site plan review in accordance with section 10.8 hereof and such provisions of this ordinance as are applicable.

Tier 1 BESS and appurtenances shall be prohibited in the Zone A and Zone 1 public water supply protection areas.

§ 7.9.6. Permitting Requirements for Tier 1, Tier 2 and Tier 3 BESS

§ 7.9.6.1 Special Permit Required. Tier 2 and Tier 3 BESS subject to this ordinance require the issuance of a Special Permit in those zoning districts identified in Appendix A, Table 1, and are subject to Major Site Plan Review pursuant to Section 10.8. Tier 2 and Tier 3 BESS shall comply with the applicable requirements set forth in this ordinance including the General Special Permit Criteria set forth in section 10.4.2, as well as this Section 7.9 , and the Haverhill General Ordinances. The City Council shall be the Special Permit Granting Authority (“SPGA”). The Applicant shall be required to submit all materials required in accordance with the SPGA Rules and Regulations, in addition to any other materials necessary or as may be required in order to support that the Application meets the Design Requirements set forth in section 7.9.6.2 herein.

§ 7.9.6.1.1 Development Review Required As Part of Hearing Process: For the purpose of a Special Permit filed hereunder, the Applicant shall be required to submit a complete application for a Special Permit in accordance with the Requirements hereunder. Following the opening of the Public Hearing by the SPGA, the Application shall be referred to the Development Review Committee as set forth in §10.1.4 hereof. The Development Review Committee shall meet with the Applicant who shall be required to provide any additional information as the Committee may reasonably request and the Development Review Committee shall provide the SPGA with its recommendations within ninety (90) days of the date upon which the application was thereto referred.

§ 7.9.6.1.2 Prohibitions: Notwithstanding the foregoing, Tier 2 and Tier 3 BESS and appurtenances shall be prohibited in the Zone A and Zone I public water supply protection areas.

§ 7.9.6.2 Design Requirements. The following requirements apply to all BESS subject to this ordinance, except where it is specifically noted to apply only to Tier 2 or Tier 3 BESS:

A. Site Plan Drawings. The Applicant shall provide a full set of Site Drawings stamped by a Massachusetts Registered Professional Engineer inclusive of items set forth in section 7.9.7.K.1 hereof.

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- B. Utility Lines and Electrical Circuitry. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles.
- C. Signage. Signage shall comply with the requirements of Section 6.2 of this Zoning Ordinance and the following additional requirements; in the event of a conflict between the provisions of Section 6.2 and this section, the requirements of this section shall control.
  - 1. The signage shall be in compliance with ANSI Z535 and shall include the type of technology associated with the BESS, any special hazards associated, the type of suppression system installed in the area of BESS, and 24-hour emergency contact information, including reach-back phone number.
  - 2. As required by the state electrical code, disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
  - 3. Signage compliant with ANSI Z535 shall be provided on doors to rooms, entrances to BESS facilities, and on BESS outdoor containers.
- D. Lighting. Lighting of the BESS shall be limited to that minimally required for safety, security and operational purposes, shall be shielded from abutting properties, shall be directed downward, shall incorporate full cut-off fixtures to reduce light pollution and shall otherwise be consistent with local, state and federal law. A photometric plan shall be required.
- E. Vegetation and tree cutting. Areas within ten feet on each side of Tier 2 and Tier 3 BESS shall be cleared of combustible vegetation and other combustible growth. Single specimens of trees, shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers shall be permitted provided that they do not form a means of readily transmitting fire. Removal of trees should be minimized to the extent possible. No tree or vegetation clearing shall be permitted within the Setbacks as noted below except for the purposes of the area of ingress and egress to the site. Vegetation control in the Water Supply Protection Overlay District (WSPOD) shall be by mowing or other mechanical means. The use of synthetic pesticides, herbicides, and fertilizers shall be prohibited for BESS facilities within the WSPOD.
- F. Setbacks. Tier 2 and Tier 3 BESS shall be set back a minimum of 50 yards from all side, rear, and front lot lines; except that Tier 2 and Tier 3 BESS shall be set back a minimum of 100 yards from side, rear, and front lot lines that abut or are across a street from residential zoning districts or existing single, two-family, or multi-family structures. The minimum setback areas shall include a Buffer Area at least fifty feet wide along all property lines. Access drives and parking are allowed in the setback areas, except emergency access as noted below, but shall not intrude into the required setback areas except where necessary to provide access or egress to the property. In addition, a minimum of 50 feet must be maintained between BESS components and all buildings, stored combustible materials, hazardous materials, high-piled storage, personnel means of egress, and other exposure hazards not associated with electrical grid infrastructure.
- G. Emergency Access: There shall be a 60-foot-wide paved emergency access road around the

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complete perimeter of the facility but inside the required setback area which may not exceed a 7% grade at any time. Ongoing maintenance of the access road including snow removal after 3 inches of snow shall be included as part of the Operations and Maintenance Plan required herein.

- H. Lot Size. The minimum lot size for Tier 1 BESS shall not be less than 1 acre. The minimum lot size for a Tier 2 BESS shall be not less than 10 acres and the minimum lot size for a Tier 3 BESS shall be no less than 20.
- I. Dimensional. All BESS shall comply with the dimensional limitations for principal structures of the underlying zoning district as provided in Appendix B, Table 2, of this Zoning Ordinance, unless otherwise provided in this ordinance. No BESS shall exceed 15 feet in height and there shall be no vertical stacking of BESS units.
- J. Fencing Requirements. Tier 2 and Tier 3 BESS, including all mechanical equipment, shall be enclosed by a minimum eight-foot high fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated-use building. All gates shall accommodate a knock box or other accessible means to allow access to public safety personnel. Security barriers, fences, landscaping, and other enclosures must not inhibit required air flow to or exhaust from the BESS and components. Electrical equipment greater than 1,000V require a separate and additional means to restrict access. NFPA 855 requires specialty safety systems to be provided based on the BESS chemistry and installed location.
- K. Screening and Visibility. Tier 2 and Tier 3 BESS shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area. Such features may not inhibit required air flow to or exhaust from the BESS and components and must comply with the setbacks established in paragraph G above.
- L. Failure Protection. All Tier 2 and Tier 3 BESS shall include an impenetrable layer beneath the surface and no closer than four (4) feet to the closest water table which will cause any discharge to flow into a basin located on site which will then capture and/or treat any runoff as a result of a failed battery or fire or other destruction. The Application shall include details of the proposed catchment system along with a detailed stormwater report and stamped detailed engineering plans from a Massachusetts Registered Professional Engineer depicting the stormwater system. All BESS facilities located within the WSPOD shall have full containment to capture all releases, either intentionally from maintenance or accidental in nature. Release and runoff shall not be allowed.
- M. Batteries. Failed battery cells and modules shall not be stored on the site and shall be removed no later than 30 days after deemed failed by the BESS operator or cell/module manufacturer. The operator shall notify the Haverhill Fire Chief in advance if the type of battery or batteries used onsite is to be changed. All failed battery cells and modules shall not be stored outdoors and must be protected from further damage and potential release of contaminants to the environment.
- N. Storage. No equipment or hazardous materials, in liquid, dry, or gas form, shall be stored onsite of the BESS other than those items in quantities necessary for the proper operation of the facility. Any storage for materials deemed necessary shall be properly labeled, covered and contained to protect from release to the environment.

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- O. Acoustical Impacts. No system shall cause an increase in acoustical levels over ambient at the Property line. An acoustical study prepared by a Massachusetts Registered Acoustical Engineer shall be provided.
- P. Water Source. A municipal water source shall be provided including a FDC within 100 feet before the entrance to the Hazard Area on the Property. The Applicant shall present evidence including a hydraulic analysis in accordance to the City standard to support that there is adequate volume and pressure for fire suppression on the Property and not have a detrimental impact on the surrounding neighborhood. The applicant shall be required to make any related offsite improvement to achieve the required standard to alleviate any impact on the adjacent users.
- Q. Decommissioning Plan. The applicant shall submit with its application a decommissioning plan for all BESS to be implemented upon abandonment and/or in conjunction with removal of the facility. The owner or operator of the BESS shall notify the Building Commissioner in writing at least twenty days prior to when a BESS will be decommissioned. Decommissioning of an abandoned or discontinued BESS shall be completed within six months after the facility ceases operation. The decommissioning plan shall include:
  - 1. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all BESS components, structures, equipment, security barriers, and transmission lines from the site;
  - 2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
  - 3. The anticipated life of the BESS;
  - 4. The estimated decommissioning costs and how said estimate was determined, including an allowance for annual cost of living increases or increases due to inflation;
  - 5. The method of ensuring that funds will be available for decommissioning and restoration;
  - 6. The method by which the decommissioning cost will be kept current;
  - 7. The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the BESS, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and
  - 8. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.
- R. Decommissioning Fund. The owner and/or operator of the energy storage system, shall

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continuously maintain a fund or other surety acceptable to the City, in a form approved by the City Council and City Solicitor, for the removal of the BESS, in an amount to be determined by the City, and which includes the City as loss payee, for the period of the life of the facility. All costs of the financial security shall be borne by the Applicant.

S. Proof of Liability Insurance. The applicant or property owner shall provide evidence of commercial liability insurance in an amount and type generally acceptable in the industry and approved by the Planning Board prior to the issuance of a building permit, and shall continue such insurance in effect until such facility has been decommissioned, removed, and the site restored in accordance with this ordinance.

§ 7.9.6.3 Special Permit Criteria. In addition to the general Special Permit criteria set forth in section 10.4.2 of this Ordinance, an application for Tier 2 or Tier 3 BESS shall meet the following criteria:

A. The project protects the ground water and surrounding properties from catastrophic failure of one or more of the batteries or cells by implementing appropriate catchment and filtration systems for water run off or run off from the system.

B. The project appropriately attenuates sound intrusion beyond the property lines onto adjacent properties so that there is no change in ambient sound after construction and during operations of the system.

C. The project includes only dark sky compliant down lighting which does not intrude beyond the property lines onto adjacent properties.

D. The project is secure and addresses possible trespass or other intrusion by individuals not affiliated with the project.

E. The project meets the public safety needs of the City.

F. The project minimizes visual impacts from utility infrastructure for interconnection.

F. The project is minimally visible from adjacent properties.

§ 7.9.7. Site Plan application.

For all BESS the Site Plan application shall include the following information, in addition to that required by Section 10.8 of this Zoning Ordinance and the applicable Planning Board requirements governing Site Plan Applications:

A. Utility Infrastructure information requirements:

1. A one- or three-line electrical diagram detailing the BESS layout, associated components, and electrical interconnection methods, with all State Electrical Code compliant disconnects and over current devices.
2. The Applicant shall provide a copy of the fully executed Interconnection Services Agreement (“ISA”) with the local utility distribution company.
3. If the ISA has not been issued, the Applicant shall be required to provide a full copy of the Application for Interconnection filed with the local utility distribution

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company.

- B. Preliminary equipment specification sheets that document the proposed BESS components, inverters and associated electrical equipment that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
- C. Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the BESS. Such information of the final system installer shall be submitted prior to the issuance of building permit.
- D. Large-scale fire test data, evaluation information, and calculations, and modeling data. For any of the following, UL 9540A fire test data must be made available to the Planning Board for review:
  - BESS systems with a capacity of greater than 50 kW
  - BESS systems with spacing between arrays of less than 3 feet
- E. Commissioning Plan. The system installer or commissioning agent shall prepare a commissioning plan prior to the start of commissioning. Such plan shall be compliant with NFPA 855 and document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in applicable state codes. Where commissioning is required by the Building Code, BESS commissioning shall be conducted by a Massachusetts Licensed Professional Engineer after the installation is complete but prior to final inspection and approval. A corrective action plan shall be developed for any open or continuing issues that are allowed to be continued after commissioning. A report describing the results of the system commissioning and including the results of the initial acceptance testing required by applicable state codes shall be provided to Zoning Enforcement Officer prior to final inspection and approval and maintained at an approved on-site location.
- F. Fire Safety Compliance Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with state codes, including documentation that BESS components comply with the safety standards set forth in subsection 7.9.9. Such plan shall also include a detailed training plan for public safety personnel.
- G. Operation and Maintenance Manual. Such plan shall describe continuing BESS maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information and shall meet all requirements set forth state codes and NFPA 855. Maintenance provisions will be driven by manufacturer requirements for the specific listed system. It shall address maintenance of the access and perimeter roadways, perimeter fencing, and shall include a snow removal plan and 24 hours access requirements by public safety officials. There shall be an annual; acoustical review to assure ongoing compliance with the requirement of no change from ambient at the property line and fire department inspection.
- H. Depending on the location of the BESS in relation to and its interaction with the electrical grid, interconnection will be completed per 527 CMR 12.00. System interconnections into utility grids shall be in accordance with NFPA 855 and the local distribution company standards for interconnection of distributed energy resources. An accessible disconnect is

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required per 527 CMR 12.00.

- I. Prior to the issuance of the building permit, As Built engineering documents must be signed and sealed by a Massachusetts Licensed Professional Engineer and provided to the Building Commissioner and Planning Department .
- J. Emergency Operations Plan. An Emergency Operations Plan compliant with NFPA 855 is required. A copy of the approved Emergency Operations Plan shall be given to the system operator, the local fire department, local fire code official and police department. For so long as the BESS is operational, the operator shall provide the Fire Department, Police Department, Building Commissioner, and Mayor's office with contact information for personnel that can be reached 24 hours per day every day, and this contact information shall be updated by the operator whenever there is a change in the information. The operator shall also be required to have an official representative be present onsite not later than two hours after notification by the Fire Chief, Police Chief, or their designee. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, fire code officials, and emergency responders. The emergency operations plan shall include the following information:
  1. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
  2. Procedures for inspection and testing of associated alarms, interlocks, and controls, including time intervals for inspection and testing.
  3. Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
  4. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
  5. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.
  6. Procedures for safe disposal of BESS equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged BESS equipment from the facility.
  7. Other procedures as determined necessary by the City to provide for the safety of occupants, neighboring properties, and emergency responders.

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8. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.

K. Each Application shall be accompanied by the following information:

1. A certified plot plan at a minimum scale of one inch equals 40 feet and a maximum scale of one inch equals 20 feet. The site plan shall contain:
  - a. Date of site plan with all revisions noted and dated. Title of development, North arrow, scale, map and lot number, name and address of record owner, name and address of person preparing the site plan.
  - b. The names of all owners of record of adjacent properties, and the map and lot number of the properties and all buildings.
  - c. Zoning district boundaries and flood zone boundaries shall be shown as they affect the property including limits of the WSPOD and public water supply Zone A and Zone I on the overall site plan.
  - d. Boundaries of the property and lines of existing street, lots, easements and areas dedicated to public use, including rights of way.
  - e. A locus map showing the location of the property with reference to surrounding area.
  - f. A table indicating all calculations necessary to determine conformance to Bylaw regulations including current required and proposed regulations.
  - g. Square footage of property to the nearest 10 square feet.
  
2. All plans must include the location of existing and proposed buildings, walls, fences, culverts, parking areas, loading areas, walkways and driveways.
  - a. Location and dimensions of utilities, gas, telephone, electrical, communications, water drainage, sewer and other waste disposal.
  - b. Location, type and dimensions of landscaping and screening.
  - c. Location of existing rock outcroppings, high points, vistas, ponds, depressions, wetlands, major trees (twelve-inch caliper and over) and any other significant existing features.
  - d. Two-foot contours where slopes are less than 15% and five-foot contours when 15% or more. Existing contours shall be indicated by dashed line. Proposed contours shall be indicated by solid line.
  - e. Dimensioned schematic drawings of all proposed buildings. Scale shall not exceed ¼ inch equals one foot nor less than 1/8 inch equals one foot.
  - f. A narrative describing the proposal and addressing the foregoing requirements.
  - g. Location of street numbers indicated on the schematic drawings and/or site plan.

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- h. Surface and water pollution. A report on the impact of Stormwater runoff on adjacent and downstream surface water bodies, subsurface groundwater and the water table.
- i. Soils. The potential dangers of erosion and sedimentation caused by the operation and maintenance of the proposed development.
- j. General environmental impact. A report on the relationship of the proposed development of the major botanical, zoological, geological and hydrological resources of the site, and compatibility of the proposed development with adjacent or surrounding land uses and neighborhoods.
- k. Traffic impact. A report on existing street capacities, estimated average daily traffic generation, composition, peak hour levels and directional flows resulting from the proposed development, proposed methods to mitigate the estimated traffic impact and methodology and sources used to derive existing data and estimations.
- l. Renderings showing the proposed project in relationship to its surroundings.

#### § 7.9.8. Ownership Changes.

If the owner of the BESS changes or the owner of the property changes, the Special Permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the Special Permit, Site Plan approval, and decommissioning plan. A new owner or operator of the BESS shall notify the Building Commissioner of such change in ownership or operator within 14 days of the ownership change. A new owner or operator must provide such notification to the Building Commissioner in writing.

#### § 7.9.9. Safety

System Certification. BESS and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for BESS and Equipment) or approved equivalent, with subcomponents meeting each of the following standards as applicable:

- A. UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications),
- B. UL 1642 (Standard for Lithium Batteries),
- C. UL 1741 or UL 62109 (Inverters and Power Converters),
- D. Certified under the applicable electrical, building, and fire prevention codes as required.
- E. Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 (or approved equivalent) and applicable codes, regulations and safety standards may be used to meet system certification requirements.

Site Access. BESS shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including snow removal at a level acceptable to the local

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fire department.

BESS, components, and associated ancillary equipment shall have required working space clearances, and electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with NFPA 70.

§ 7.9.11. Abandonment

The BESS shall be considered abandoned when it ceases to operate consistently for more than one year. If the owner and/or operator fails to comply with decommissioning upon any abandonment, the City may, after compliance with any applicable state and federal constitutional requirements, enter the property and utilize the available bond and/or security for the removal of any BESS and restoration of the site in accordance with the decommissioning plan.

And further add the following new definition to § 11.1 of Chapter 255

§ 11.1

**BATTERY ENERGY STORAGE SYSTEM (“BESS”)** -- An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected. For the purposes of this bylaw, BESS are comprised of three (3) types as further described in § 7.9.3.B. of this bylaw; Tier 1 BESS, Tier 2 BESS and Tier 3 BESS.

And further to amend section 3.1.3, Table of Use and Parking regulations by allowing Tier 1, Tier 2 and Tier 3 BESS in the districts as follows:

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
<b>I. MISCELLANEOUS COMMERCIAL USES (cont'd)</b>															
22. Kennel or veterinary hospital in which all animals, fowl or other forms of life are completely enclosed in pens or other structures	BA	BA	N	N	N	N	N	BA	N	N	N	N	N	N	D
23. Commercial communications and/or television tower, provided that it shall be at least 500 feet from any R District	BA	N	N	N	N	N	N	BA	BA	BA	N	BA	BA	BA	None
<b>24. Battery Energy Storage Systems: Tier 1</b>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>None</u>										
<b>25. Battery Energy Storage Systems: Tier 2</b>	<u>N</u>	<u>CC</u>	<u>None</u>												

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26. Battery Energy Storage Systems: Tier 3	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CC	None
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IN CITY COUNCIL: January 7 2025  
 PLACED ON FILE for at least 10 days  
 Attest:

\_\_\_\_\_ City Clerk

IN CITY COUNCIL: March 18 2025  
 CONTINUED TO APRIL 29 2025 (with Hearing)  
 Attest:

\_\_\_\_\_ City Clerk

IN CITY COUNCIL: April 29 2025  
 HEARING CONTINUED TO JUNE 3 2025  
 Attest:

\_\_\_\_\_ City Clerk

IN CITY COUNCIL: June 3 2025  
 REQUEST BY CITY SOLICITOR TO CONTINUE TO JULY 8 2025  
 Attest:

\_\_\_\_\_ City Clerk

IN CITY COUNCIL: July 8 2025  
 CONTINUED TO AUGUST 5, 2025

Attest:  
 \_\_\_\_\_ City Clerk

IN CITY COUNCIL: August 5 2025  
 CONTINUE TO SEPTEMBER 30, 2025  
 Attest:

\_\_\_\_\_ City Clerk

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Filed ✓  
8 Octavo pages

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HAVERHILL CLERK

**MUNICIPAL ORDINANCE CHAPTER 255 Zoning**

**AN ORDINANCE RELATING TO AMENDING CHAPTER 255, ZONING BY ADDING A NEW SECTION 7.9 BATTERY ENERGY STORAGE SYSTEMS**

**BE IT ORDAINED** by the City Council of the City of Haverhill that Chapter 255, Zoning, of the Code of the City of Haverhill, as amended, being and is hereby further amended as follows by inserting the following new section 7.9 entitled "Battery Energy Storage Systems";

For Hearing March 18, 2025

§7.9 BATTERY ENERGY STORAGE SYSTEMS

§7.9.1. Purpose.

The purpose of this Section is to advance and protect the public health, safety, welfare, and quality of life by creating regulations for the installation and use of free-standing battery energy storage systems ("BESS"), with the following objectives:

- A. To provide a regulatory scheme for the location, construction and operation of free-standing BESS consistent with best practices and safety protocols;
- B. To ensure compatible land uses in the vicinity of the areas affected by BESS and to mitigate any potential impacts on abutting and nearby properties; and
- C. To mitigate the impacts of BESS on environmental resources such as agricultural lands, forests, wildlife, wetlands and other natural resources.

This Section shall be construed to be consistent with state law, including but not limited to the provisions of General Laws chapter 40A, section 3, and state regulations, including but not limited to the provisions of the State Building Code, State Fire Code, and State Electrical Code. In the event of any conflict between the provisions of this section and the provisions of state law or regulations, the state law and regulations shall prevail.

7.9.2. Definitions.

See "battery energy storage systems" in Section 11.0

7.9.3 Applicability.

- A. The requirements of this ordinance shall apply to BESS permitted, installed, decommissioned or modified after the effective date of this ordinance, excluding general maintenance and repair. BESS subject to this ordinance are only those that exceed the following capacities:

- Lead-acid with a capacity of greater than 70 kW
- Nickel with a capacity of greater than 70 kW
- Lithium-ion with a capacity of greater than 30 kW
- Sodium nickel chloride with a capacity of greater than 20 kW
- Flow with a capacity of greater than 20 kW
- Other battery technologies with a capacity of greater than 20 kW

B. Only BESS that meet the criteria herein shall be permitted under this ordinance. BESS permitted under and subject to this ordinance shall be classified either as a Tier 1, Tier 2 or Tier 3 BESS as set forth herein. All sizes noted in this section shall include the total capacity of the proposed facility and not refer solely as a limitation on total export. For avoidance of doubt, a proposed system which has an export capacity of 50 MW but has a total storage or redundancy capacity of 100 MW shall be treated as a 100 MW system.

1. Tier 1 BESS have an aggregate capacity less than or equal to 500 kW, derive 51% or more of their power from Solar Energy Systems as defined herein, and, if in a room or enclosed area, consist of only a single energy storage system technology.
2. Tier 2 BESS consist of those which meet one or more of the following criteria;
  - a. have an aggregate energy capacity greater than 500kW and less than 5 MW, but no greater than 5 MW;
  - b. are comprised of more than one storage battery facility in a room or enclosed area;
  - c. derive less than 51% of their power from Solar Energy Systems as defined herein.
3. Tier 3 BESS consist of those which meet one or more of the following criteria;
  - a. have an aggregate capacity greater than 5 MW, but no greater than 200MW;
  - b. are comprised of more than one storage battery facility in a room or enclosed area;
  - c. derive less than 51% of their power from Solar Energy Systems as defined herein.

#### § 7.9.4. General Requirements

- A. All permits required by state codes, including but not limited to building permit, an electrical permit, and a fire department permit shall be required for installation of all BESS.
- B. All BESS, all Dedicated Use Buildings, and all other buildings or structures that (a) contain or are otherwise associated with a battery energy storage system; and (b) subject to the requirements of the State Building Code, shall be designed, erected, and installed in accordance with all applicable provisions of the State Building Code

780 CMR, State Fire Code 527 CMR 1.00, and State Electrical Code 527 CMR 12.00. All BESS shall comply with NFPA 855, Standard for the Installation of Stationary Energy Storage Systems.

- C. Energy storage system capacities, including array capacity and separation, are limited to the thresholds contained in NFPA 855.

#### § 7.9.5. Permitting Requirements for Tier 1 BESS

Tier 1 BESS are allowed by right in all zoning districts, subject to applicable provisions of the State Building Code, Electrical Code, Fire Code, and other applicable codes, and are subject to site plan review in accordance with section 10.8 hereof and such provisions of this ordinance as are applicable.

Tier 1 BESS and appurtenances shall be prohibited in the Zone A and Zone 1 public water supply protection areas.

#### § 7.9.6. Permitting Requirements for Tier 1, Tier 2 and Tier 3 BESS

§ 7.9.6.1 Special Permit Required. Tier 2 and Tier 3 BESS subject to this ordinance require the issuance of a Special Permit in those zoning districts identified in Appendix A, Table 1, and are subject to Major Site Plan Review pursuant to Section 10.8. Tier 2 and Tier 3 BESS shall comply with the applicable requirements set forth in this ordinance including the General Special Permit Criteria set forth in section 10.4.2, as well as this Section 7.9, and the Haverhill General Ordinances. The City Council shall be the Special Permit Granting Authority (“SPGA”). The Applicant shall be required to submit all materials required in accordance with the SPGA Rules and Regulations, in addition to any other materials necessary or as may be required in order to support that the Application meets the Design Requirements set forth in section 7.9.6.2 herein.

§ 7.9.6.1.1 Development Review Required As Part of Hearing Process: For the purpose of a Special Permit filed hereunder, the Applicant shall be required to submit a complete application for a Special Permit in accordance with the Requirements hereunder. Following the opening of the Public Hearing by the SPGA, the Application shall be referred to the Development Review Committee as set forth in §10.1.4 hereof. The Development Review Committee shall meet with the Applicant who shall be required to provide any additional information as the Committee may reasonably request and the Development Review Committee shall provide the SPGA with its recommendations within ninety (90) days of the date upon which the application was thereto referred.

§ 7.9.6.1.2 Prohibitions: Notwithstanding the foregoing, Tier 2 and Tier 3 BESS and appurtenances shall be prohibited in the Zone A and Zone I public water supply protection areas.

§ 7.9.6.2 Design Requirements. The following requirements apply to all BESS subject to this ordinance, except where it is specifically noted to apply only to Tier 2 or Tier 3 BESS:

- A. Site Plan Drawings. The Applicant shall provide a full set of Site Drawings stamped by a Massachusetts Registered Professional Engineer inclusive of items set forth in section 7.9.7.K.1 hereof.

- B. Utility Lines and Electrical Circuitry. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles.
- C. Signage. Signage shall comply with the requirements of Section 6.2 of this Zoning Ordinance and the following additional requirements; in the event of a conflict between the provisions of Section 6.2 and this section, the requirements of this section shall control.
1. The signage shall be in compliance with ANSI Z535 and shall include the type of technology associated with the BESS, any special hazards associated, the type of suppression system installed in the area of BESS, and 24-hour emergency contact information, including reach-back phone number.
  2. As required by the state electrical code, disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
  3. Signage compliant with ANSI Z535 shall be provided on doors to rooms, entrances to BESS facilities, and on BESS outdoor containers.
- D. Lighting. Lighting of the BESS shall be limited to that minimally required for safety, security and operational purposes, shall be shielded from abutting properties, shall be directed downward, shall incorporate full cut-off fixtures to reduce light pollution and shall otherwise be consistent with local, state and federal law. A photometric plan shall be required.
- E. Vegetation and tree cutting. Areas within ten feet on each side of Tier 2 and Tier 3 BESS shall be cleared of combustible vegetation and other combustible growth. Single specimens of trees, shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers shall be permitted provided that they do not form a means of readily transmitting fire. Removal of trees should be minimized to the extent possible. No tree or vegetation clearing shall be permitted within the Setbacks as noted below except for the purposes of the area of ingress and egress to the site. Vegetation control in the Water Supply Protection Overlay District (WSPOD) shall be by mowing or other mechanical means. The use of synthetic pesticides, herbicides, and fertilizers shall be prohibited for BESS facilities within the WSPOD.
- F. Setbacks. Tier 2 and Tier 3 BESS shall be set back a minimum of 50 yards from all side, rear, and front lot lines; except that Tier 2 and Tier 3 BESS shall be set back a minimum of 100 yards from side, rear, and front lot lines that abut or are across a street from residential zoning districts or existing single, two-family, or multi-family structures. The minimum setback areas shall include a Buffer Area at least fifty feet wide along all property lines. Access drives and parking are allowed in the setback areas, except emergency access as noted below, but shall not intrude into the required setback areas except where necessary to provide access or egress to the property. In addition, a minimum of 50 feet must be maintained between BESS components and all buildings, stored combustible materials, hazardous materials, high-piled storage, personnel means of egress, and other exposure hazards not associated with electrical grid infrastructure.
- G. Emergency Access: There shall be a 60-foot-wide paved emergency access road around the

complete perimeter of the facility but inside the required setback area which may not exceed a 7% grade at any time. Ongoing maintenance of the access road including snow removal after 3 inches of snow shall be included as part of the Operations and Maintenance Plan required herein.

- H. Lot Size. The minimum lot size for Tier 1 BESS shall not be less than 1 acre. The minimum lot size for a Tier 2 BESS shall be not less than 10 acres and the minimum lot size for a Tier 3 BESS shall be no less than 20.
- I. Dimensional. All BESS shall comply with the dimensional limitations for principal structures of the underlying zoning district as provided in Appendix B, Table 2, of this Zoning Ordinance, unless otherwise provided in this ordinance. No BESS shall exceed 15 feet in height and there shall be no vertical stacking of BESS units.
- J. Fencing Requirements. Tier 2 and Tier 3 BESS, including all mechanical equipment, shall be enclosed by a minimum eight-foot high fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated-use building. All gates shall accommodate a knock box or other accessible means to allow access to public safety personnel. Security barriers, fences, landscaping, and other enclosures must not inhibit required air flow to or exhaust from the BESS and components. Electrical equipment greater than 1,000V require a separate and additional means to restrict access. NFPA 855 requires specialty safety systems to be provided based on the BESS chemistry and installed location.
- K. Screening and Visibility. Tier 2 and Tier 3 BESS shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area. Such features may not inhibit required air flow to or exhaust from the BESS and components and must comply with the setbacks established in paragraph G above.
- L. Failure Protection. All Tier 2 and Tier 3 BESS shall include an impenetrable layer beneath the surface and no closer than four (4) feet to the closest water table which will cause any discharge to flow into a basin located on site which will then capture and/or treat any runoff as a result of a failed battery or fire or other destruction. The Application shall include details of the proposed catchment system along with a detailed stormwater report and stamped detailed engineering plans from a Massachusetts Registered Professional Engineer depicting the stormwater system. All BESS facilities located within the WSPOD shall have full containment to capture all releases, either intentionally from maintenance or accidental in nature. Release and runoff shall not be allowed.
- M. Batteries. Failed battery cells and modules shall not be stored on the site and shall be removed no later than 30 days after deemed failed by the BESS operator or cell/module manufacturer. The operator shall notify the Haverhill Fire Chief in advance if the type of battery or batteries used onsite is to be changed. All failed battery cells and modules shall not be stored outdoors and must be protected from further damage and potential release of contaminants to the environment.
- N. Storage. No equipment or hazardous materials, in liquid, dry, or gas form, shall be stored onsite of the BESS other than those items in quantities necessary for the proper operation of the facility. Any storage for materials deemed necessary shall be properly labeled, covered and contained to protect from release to the environment.

- O. Acoustical Impacts. No system shall cause an increase in acoustical levels over ambient at the Property line. An acoustical study prepared by a Massachusetts Registered Acoustical Engineer shall be provided.
- P. Water Source. A municipal water source shall be provided including a FDC within 100 feet before the entrance to the Hazard Area on the Property. The Applicant shall present evidence including a hydraulic analysis in accordance to the City standard to support that there is adequate volume and pressure for fire suppression on the Property and not have a detrimental impact on the surrounding neighborhood. The applicant shall be required to make any related offsite improvement to achieve the required standard to alleviate any impact on the adjacent users.
- Q. Decommissioning Plan. The applicant shall submit with its application a decommissioning plan for all BESS to be implemented upon abandonment and/or in conjunction with removal of the facility. The owner or operator of the BESS shall notify the Building Commissioner in writing at least twenty days prior to when a BESS will be decommissioned. Decommissioning of an abandoned or discontinued BESS shall be completed within six months after the facility ceases operation. The decommissioning plan shall include:
1. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all BESS components, structures, equipment, security barriers, and transmission lines from the site;
  2. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
  3. The anticipated life of the BESS;
  4. The estimated decommissioning costs and how said estimate was determined, including an allowance for annual cost of living increases or increases due to inflation;
  5. The method of ensuring that funds will be available for decommissioning and restoration;
  6. The method by which the decommissioning cost will be kept current;
  7. The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the BESS, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and
  8. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.
- R. Decommissioning Fund. The owner and/or operator of the energy storage system, shall

continuously maintain a fund or other surety acceptable to the City, in a form approved by the City Council and City Solicitor, for the removal of the BESS, in an amount to be determined by the City, and which includes the City as loss payee, for the period of the life of the facility. All costs of the financial security shall be borne by the Applicant.

- S. Proof of Liability Insurance. The applicant or property owner shall provide evidence of commercial liability insurance in an amount and type generally acceptable in the industry and approved by the Planning Board prior to the issuance of a building permit, and shall continue such insurance in effect until such facility has been decommissioned, removed, and the site restored in accordance with this ordinance.

§ 7.9.6.3 Special Permit Criteria. In addition to the general Special Permit criteria set forth in section 10.4.2 of this Ordinance, an application for Tier 2 or Tier 3 BESS shall meet the following criteria:

- A. The project protects the ground water and surrounding properties from catastrophic failure of one or more of the batteries or cells by implementing appropriate catchment and filtration systems for water run off or run off from the system.

- B. The project appropriately attenuates sound intrusion beyond the property lines onto adjacent properties so that there is no change in ambient sound after construction and during operations of the system.

- C. The project includes only dark sky compliant down lighting which does not intrude beyond the property lines onto adjacent properties.

- D. The project is secure and addresses possible trespass or other intrusion by individuals not affiliated with the project.

- E. The project meets the public safety needs of the City.

- F. The project minimizes visual impacts from utility infrastructure for interconnection.

- F. The project is minimally visible from adjacent properties.

§ 7.9.7. Site Plan application.

For all BESS the Site Plan application shall include the following information, in addition to that required by Section 10.8 of this Zoning Ordinance and the applicable Planning Board requirements governing Site Plan Applications:

- A. Utility Infrastructure information requirements:

1. A one- or three-line electrical diagram detailing the BESS layout, associated components, and electrical interconnection methods, with all State Electrical Code compliant disconnects and over current devices.
2. The Applicant shall provide a copy of the fully executed Interconnection Services Agreement (“ISA”) with the local utility distribution company.
3. If the ISA has not been issued, the Applicant shall be required to provide a full copy of the Application for Interconnection filed with the local utility distribution

company.

- B. Preliminary equipment specification sheets that document the proposed BESS components, inverters and associated electrical equipment that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
- C. Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the BESS. Such information of the final system installer shall be submitted prior to the issuance of building permit.
- D. Large-scale fire test data, evaluation information, and calculations, and modeling data. For any of the following, UL 9540A fire test data must be made available to the Planning Board for review:
  - BESS systems with a capacity of greater than 50 kW
  - BESS systems with spacing between arrays of less than 3 feet
- E. Commissioning Plan. The system installer or commissioning agent shall prepare a commissioning plan prior to the start of commissioning. Such plan shall be compliant with NFPA 855 and document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in applicable state codes. Where commissioning is required by the Building Code, BESS commissioning shall be conducted by a Massachusetts Licensed Professional Engineer after the installation is complete but prior to final inspection and approval. A corrective action plan shall be developed for any open or continuing issues that are allowed to be continued after commissioning. A report describing the results of the system commissioning and including the results of the initial acceptance testing required by applicable state codes shall be provided to Zoning Enforcement Officer prior to final inspection and approval and maintained at an approved on-site location.
- F. Fire Safety Compliance Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with state codes, including documentation that BESS components comply with the safety standards set forth in subsection 7.9.9. Such plan shall also include a detailed training plan for public safety personnel.
- G. Operation and Maintenance Manual. Such plan shall describe continuing BESS maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information and shall meet all requirements set forth state codes and NFPA 855. Maintenance provisions will be driven by manufacturer requirements for the specific listed system. It shall address maintenance of the access and perimeter roadways, perimeter fencing, and shall include a snow removal plan and 24 hours access requirements by public safety officials. There shall be an annual; acoustical review to assure ongoing compliance with the requirement of no change from ambient at the property line and fire department inspection.
- H. Depending on the location of the BESS in relation to and its interaction with the electrical grid, interconnection will be completed per 527 CMR 12.00. System interconnections into utility grids shall be in accordance with NFPA 855 and the local distribution company standards for interconnection of distributed energy resources. An accessible disconnect is

required per 527 CMR 12.00.

- I. Prior to the issuance of the building permit, As Built engineering documents must be signed and sealed by a Massachusetts Licensed Professional Engineer and provided to the Building Commissioner and Planning Department .
- J. Emergency Operations Plan. An Emergency Operations Plan compliant with NFPA 855 is required. A copy of the approved Emergency Operations Plan shall be given to the system operator, the local fire department, local fire code official and police department. For so long as the BESS is operational, the operator shall provide the Fire Department, Police Department, Building Commissioner, and Mayor's office with contact information for personnel that can be reached 24 hours per day every day, and this contact information shall be updated by the operator whenever there is a change in the information. The operator shall also be required to have an official representative be present onsite not later than two hours after notification by the Fire Chief, Police Chief, or their designee. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, fire code officials, and emergency responders. The emergency operations plan shall include the following information:
  1. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
  2. Procedures for inspection and testing of associated alarms, interlocks, and controls, including time intervals for inspection and testing.
  3. Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
  4. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
  5. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.
  6. Procedures for safe disposal of BESS equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged BESS equipment from the facility.
  7. Other procedures as determined necessary by the City to provide for the safety of occupants, neighboring properties, and emergency responders.

8. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.
- K. Each Application shall be accompanied by the following information:
1. A certified plot plan at a minimum scale of one inch equals 40 feet and a maximum scale of one inch equals 20 feet. The site plan shall contain:
    - a. Date of site plan with all revisions noted and dated. Title of development, North arrow, scale, map and lot number, name and address of record owner, name and address of person preparing the site plan.
    - b. The names of all owners of record of adjacent properties, and the map and lot number of the properties and all buildings.
    - c. Zoning district boundaries and flood zone boundaries shall be shown as they affect the property including limits of the WSPOD and public water supply Zone A and Zone I on the overall site plan.
    - d. Boundaries of the property and lines of existing street, lots, easements and areas dedicated to public use, including rights of way.
    - e. A locus map showing the location of the property with reference to surrounding area.
    - f. A table indicating all calculations necessary to determine conformance to Bylaw regulations including current required and proposed regulations.
    - g. Square footage of property to the nearest 10 square feet.
  2. All plans must include the location of existing and proposed buildings, walls, fences, culverts, parking areas, loading areas, walkways and driveways.
    - a. Location and dimensions of utilities, gas, telephone, electrical, communications, water drainage, sewer and other waste disposal.
    - b. Location, type and dimensions of landscaping and screening.
    - c. Location of existing rock outcroppings, high points, vistas, ponds, depressions, wetlands, major trees (twelve-inch caliper and over) and any other significant existing features.
    - d. Two-foot contours where slopes are less than 15% and five-foot contours when 15% or more. Existing contours shall be indicated by dashed line. Proposed contours shall be indicated by solid line.
    - e. Dimensioned schematic drawings of all proposed buildings. Scale shall not exceed ¼ inch equals one foot nor less than 1/8 inch equals one foot.
    - f. A narrative describing the proposal and addressing the foregoing requirements.
    - g. Location of street numbers indicated on the schematic drawings and/or site plan.

- h. Surface and water pollution. A report on the impact of Stormwater runoff on adjacent and downstream surface water bodies, subsurface groundwater and the water table.
- i. Soils. The potential dangers of erosion and sedimentation caused by the operation and maintenance of the proposed development.
- j. General environmental impact. A report on the relationship of the proposed development of the major botanical, zoological, geological and hydrological resources of the site, and compatibility of the proposed development with adjacent or surrounding land uses and neighborhoods.
- k. Traffic impact. A report on existing street capacities, estimated average daily traffic generation, composition, peak hour levels and directional flows resulting from the proposed development, proposed methods to mitigate the estimated traffic impact and methodology and sources used to derive existing data and estimations.
- l. Renderings showing the proposed project in relationship to its surroundings.

#### § 7.9.8. Ownership Changes.

If the owner of the BESS changes or the owner of the property changes, the Special Permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the Special Permit, Site Plan approval, and decommissioning plan. A new owner or operator of the BESS shall notify the Building Commissioner of such change in ownership or operator within 14 days of the ownership change. A new owner or operator must provide such notification to the Building Commissioner in writing.

#### § 7.9.9. Safety

System Certification. BESS and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for BESS and Equipment) or approved equivalent, with subcomponents meeting each of the following standards as applicable:

- A. UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications),
- B. UL 1642 (Standard for Lithium Batteries),
- C. UL 1741 or UL 62109 (Inverters and Power Converters),
- D. Certified under the applicable electrical, building, and fire prevention codes as required.
- E. Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 (or approved equivalent) and applicable codes, regulations and safety standards may be used to meet system certification requirements.

Site Access. BESS shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including snow removal at a level acceptable to the local

fire department.

BESS, components, and associated ancillary equipment shall have required working space clearances, and electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with NFPA 70.

§ 7.9.11. Abandonment

The BESS shall be considered abandoned when it ceases to operate consistently for more than one year. If the owner and/or operator fails to comply with decommissioning upon any abandonment, the City may, after compliance with any applicable state and federal constitutional requirements, enter the property and utilize the available bond and/or security for the removal of any BESS and restoration of the site in accordance with the decommissioning plan.

And further add the following new definition to § 11.1 of Chapter 255

§ 11.1

BATTERY ENERGY STORAGE SYSTEM (“BESS”) -- An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected. For the purposes of this bylaw, BESS are comprised of three (3) types as further described in § 7.9.3.B. of this bylaw; Tier 1 BESS, Tier 2 BESS and Tier 3 BESS.

And further to amend section 3.1.3, Table of Use and Parking regulations by allowing Tier 1, Tier 2 and Tier 3 BESS in the districts as follows:

	RS	RR	RL	RM	RH	RU	CN	CH	CG	CC	CM	OP	BG	BP	PC
<b>I. MISCELLANEOUS COMMERCIAL USES (cont'd)</b>															
22. Kennel or veterinary hospital in which all animals, fowl or other forms of life are completely enclosed in pens or other structures	BA	BA	N	N	N	N	N	BA	N	N	N	N	N	N	D
23. Commercial communications and/or television tower, provided that it shall be at least 500 feet from any R District	BA	N	N	N	N	N	N	BA	BA	BA	N	BA	BA	BA	None
<b>24. Battery Energy Storage Systems: Tier 1</b>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>None</u>										
<b>25. Battery Energy Storage Systems: Tier 2</b>	<u>N</u>	<u>CC</u>	<u>None</u>												

<b>26. Battery Energy Storage Systems: Tier</b>	<b>N</b>	<b>CC</b>	<b>None</b>												
<b>3</b>															

10.2

**Kaitlin Wright**

---

**From:** Lisa Mead <lisa@mtclawyers.com>  
**Sent:** Thursday, February 19, 2026 12:20 PM  
**To:** Kaitlin Wright; Jacki Byerley; Tim Jordan  
**Cc:** Mayor; Lori Robertson; Christine Lindberg; Natalia Hernandez  
**Subject:** RE: BESS Zoning Hearing

**Warning! External Email. Exercise caution when opening attachments or clicking on any links.**

Katlin,

Can you continue it until Mid-March. I am hopeful to have a new ordinance for you in the next week, which will be filed and that will be withdrawn. Thank you

Lisa

Lisa L. Mead

[she/her/hers]



Mead, Talerman & Costa LLC

30 Green St

Newburyport MA 01950

978 463 7700 ext 101

978 463 7747 (fax)

FEB 19 PM 3:52  
HAVCITYCLERK

The information contained herein is confidential and may be protected by the attorney-client and/or other applicable privilege(s). It is intended only for the named recipient(s). If you are neither an intended recipient nor a person responsible for delivery to a recipient, you are hereby notified that any unauthorized use, dissemination, distribution or reproduction of the contents hereof is strictly prohibited and may be unlawful.

If you have received the above transmittal in error, please delete the message and any attachment(s) hereto from your e-mail system and notify us immediately. *Please consider the environment before printing this email.* 

 Think before you print.

---

**From:** Kaitlin Wright <kwright@haverhillma.gov>  
**Sent:** Thursday, February 19, 2026 11:17 AM



MELINDA E. BARRETT  
MAYOR

CITY OF HAVERHILL  
MASSACHUSETTS

REC'D  
HAY  
COUNCIL

CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
MAYOR@HAVERHILLMA.GOV  
WWW.HAVERHILLMA.GOV

February 20, 2026

To: City Council President Thomas J. Sullivan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

**RE: Resignation – Joyce Thibodeau – Commission on Disability Issues**

Dear Mr. President and Members of the Haverhill City Council:

I would like to inform you that effective February 17, 2026, Joyce Thibodeau has resigned from the Commission on Disability Issues. Her letter of resignation is attached for your review.

Sincerely,

**Melinda E. Barrett**  
Mayor

MEB/em

February 17, 2026

Mayor Barrett  
City Hall  
4 Summer St  
Haverhill, MA 01830  
CC: Jeffrey Hollett, Christine Lindberg

It is with deep regret that I feel compelled to resign from Haverhill's Commission on Disability Issues. I've been a member of the "Commission" for 14 years, and have often worked on improving handicap access. However, due to recent incidents I feel that the "Commission" has become nothing more than a token title, and I must move on. My resignation is effective immediately.

I have placed the remainder of the files under my control into the office filing cabinet. If I find any stray files I will hand them in immediately to Jeffrey Hollett. I have handed in my keys to the Citizen Center.

Regards,

  
Joyce M. Thibodeau

Tag Day Permit

**TAGD-26-3**

Submitted On: Feb 10, 2026

**Applicant**

 Lisa Snyder  
508-265-2212  
@lsnyder1113@gmail.com

12.4.1

HAV CITY CLRK FEB11'26 9:03

**Organization Information**

**Organization**

Haverhill High School Baseball Boosters

**Organization Phone**

508-265-2212

**Organization Address**

137 Monument Street

**Organization City**

Haverhill

**Organization State**

MA

**Organization Zip**

01832

**Is the Organization Tax Exempt?**

No

**Is the Organization Non-Profit?**

No

**Is your organization affiliated with the Haverhill Public School system?**

Yes

**Is the Applicant a Haverhill Resident**

Yes

**Off-Street Locations Information [OFF-STREET LOCATIONS NOT PERMITTED]**

**How Many Locations Will You Cover?**

3

**Location 1**

Westgate Market Basket

**Location 2**

Riverside Market Basket

**Location 3**

Central Plaza Market Basket

**Date Information -MAXIMUM 3 CONSECUTIVE DAYS**

**How Many Dates Will the Event Include?**

1

**Date #1**

03/07/2026

## City Clerk Approval

Record No. TAGD-26-3

Status Completed

Became Active February 11, 2026

Type Approval

Due Date None

Assignee Kaitlin Wright

---

### Record No: TAGD-26-3

Tag Day Permit

Status: Active

Submitted On: 2/10/2026

---

#### Primary Location

No location

#### Owner

No owner information

#### Applicant

 Lisa Snyder  
 508-265-2212  
 lsnyder1113@gmail.com  
 13 Hunter's Run Place  
Haverhill, Massachusetts 01832

---

#### Step Activity

OpenGov system activated this step	02/11/2026 at 8:23 am
OpenGov system assigned this step to Kaitlin Wright	02/11/2026 at 8:23 am
Kaitlin Wright approved this step	02/11/2026 at 8:24 am



February 10, 2026

Lisa Snyder  
Haverhill HS Baseball  
lsnyder1113@gmail.com

Dear Lisa:

This letter is to inform you that your organization has been granted permission to hold a fund-raising event at the store listed below between the hours of 9:00AM – 3:00PM. **However, it is the responsibility of the organization to acquire the appropriate permits if required by the town.** At the request of our customers, we have put into effect the following guidelines your volunteers are required to adhere to. DeMoulas Super Markets, Inc. has the right to curtail any fund-raising events we feel necessary.

1. Upon arriving at the store you must check in with the store manager.
2. Children under the age of fourteen are required to have adult supervision with them at all times.
3. There should never be more than two people from your organization at the store at any given time.
4. Fund-raising events should take place outside the store at least 10 feet away from the entrance/exit doors. Do not interrupt the flow of traffic entering and exiting the building.
5. All volunteers representing your organization must be well groomed and properly attired. They should present themselves in a courteous and friendly manner at all times.
6. Volunteers must allow the customer to approach them.
7. The person representing you should be located at the entrance door only.
8. If a table is being set up, discuss with the store manager where it should be located.
9. **Due to the numerous requests we receive to fundraise, if you must reschedule the dates you were approved for you will need to resubmit a new letter with new dates at least 2 weeks in advance.**

If you have any questions pertaining to this notice, please contact Lori Page at (978) 851-8000 or [fundraising@demoulasmaketbasket.com](mailto:fundraising@demoulasmaketbasket.com). We wish you luck in your endeavor!

DeMoulas Super Markets, Inc.

STORE LOCATION: Haverhill #9

DATE(S): March 7



February 10, 2026

Lisa Snyder  
Haverhill HS Baseball  
Lsnyder113@gmail.com

Dear Lisa:

This letter is to inform you that your organization has been granted permission to hold a fund-raising event at the store listed below between the hours of 9:00AM – 3:00PM. **However, it is the responsibility of the organization to acquire the appropriate permits if required by the town.** At the request of our customers, we have put into effect the following guidelines your volunteers are required to adhere to. DeMoulas Super Markets, Inc. has the right to curtail any fund-raising events we feel necessary.

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DeMoulas Super Markets, Inc.

STORE LOCATION: Haverhill #15

DATE(S): March 7



February 10, 2026

Lisa Snyder  
Haverhill HS Baseball  
Lsnyder1113@gmail.com

Dear Lisa:

*This letter is to inform you that your organization has been granted permission to hold a fund-raising event at the store listed below between the hours of 9:00AM – 3:00PM. **However, it is the responsibility of the organization to acquire the appropriate permits if required by the town.** At the request of our customers, we have put into effect the following guidelines your volunteers are required to adhere to. DeMoulas Super Markets, Inc. has the right to curtail any fund-raising events we feel necessary.*

1. *Upon arriving at the store you must check in with the store manager.*
2. *Children under the age of fourteen are required to have adult supervision with them at all times.*
3. *There should never be more than two people from your organization at the store at any given time.*
4. *Fund-raising events should take place outside the store at least 10 feet away from the entrance/exit doors. Do not interrupt the flow of traffic entering and exiting the building.*
5. *All volunteers representing your organization must be well groomed and properly attired. They should present themselves in a courteous and friendly manner at all times.*
6. *Volunteers must allow the customer to approach them.*
7. *The person representing you should be located at the entrance door only.*
8. *If a table is being set up, discuss with the store manager where it should be located.*
9. ***Due to the numerous requests we receive to fundraise, if you must reschedule the dates you were approved for you will need to resubmit a new letter with new dates at least 2 weeks in advance.***

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*DeMoulas Super Markets, Inc.*

STORE LOCATION: Haverhill #48

DATE(S): March 7

Tag Day Permit

**TAGD-26-4**

Submitted On: Feb 11, 2026

**Applicant**

👤 Melissa Drew-DeFrank  
☎ 617-592-8816  
@ drewdefrank@aol.com

124.2

**Organization Information**

**Organization**

Haverhill High School Drama Club

**Organization Phone**

978-374-5700

**Organization Address**

137 Monument St

**Organization City**

Haverhill

**Organization State**

MA

**Organization Zip**

01832

FEB 13 AM 10:16  
HAVERHILL CITY CLERK

**Is the Organization Tax Exempt?**

Yes

**Is the Organization Non-Profit?**

Yes

**Is your organization affiliated with the Haverhill Public School system?**

Yes

**Is the Applicant a Haverhill Resident**

Yes

**Off-Street Locations Information [OFF-STREET LOCATIONS NOT PERMITTED]**

**How Many Locations Will You Cover?**

3

**Location 1**

Westgate Market Basket, 400 Lowell Ave, Haverhill, MA 01832

**Location 2**

Market Basket 2 Water Street, Haverhill, MA

**Location 3**

Market Basket 285 Lincoln Ave, Haverhill, MA

**Date Information -MAXIMUM 3 CONSECUTIVE DAYS**

**How Many Dates Will the Event Include?**

1

**Date #1**

03/21/2026



January 28, 2026

Melissa Drew DeFrank  
HHS Drama Club  
drewdefrank@aol.com

Dear Melissa:

This letter is to inform you that your organization has been granted permission to hold a fund-raising event at the store listed below between the hours of 9:00AM – 3:00PM. **However, it is the responsibility of the organization to acquire the appropriate permits if required by the town.** At the request of our customers, we have put into effect the following guidelines your volunteers are required to adhere to. DeMoulas Super Markets, Inc. has the right to curtail any fund-raising events we feel necessary.

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If you have any questions pertaining to this notice, please contact Lori Page at (978) 851-8000 or [fundraising@demoulasmaketbasket.com](mailto:fundraising@demoulasmaketbasket.com). We wish you luck in your endeavor!

DeMoulas Super Markets, Inc.

STORE LOCATION: Haverhill #9

DATE(S): March 21



January 28, 2026

Melissa Drew – DeFrank  
HHS Drama Club  
drewdefrank@aol.com

Dear Melissa:

This letter is to inform you that your organization has been granted permission to hold a fund-raising event at the store listed below between the hours of 9:00AM – 3:00PM. **However, it is the responsibility of the organization to acquire the appropriate permits if required by the town.** At the request of our customers, we have put into effect the following guidelines your volunteers are required to adhere to. DeMoulas Super Markets, Inc. has the right to curtail any fund-raising events we feel necessary.

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DeMoulas Super Markets, Inc.

STORE LOCATION: Haverhill #15

DATE(S): March 21



January 28, 2026

Melissa Drew – DeFrank  
HHS Drama Club  
drewdefrank@aol.com

Dear Melissa:

This letter is to inform you that your organization has been granted permission to hold a fund-raising event at the store listed below between the hours of 9:00AM – 3:00PM. **However, it is the responsibility of the organization to acquire the appropriate permits if required by the town.** At the request of our customers, we have put into effect the following guidelines your volunteers are required to adhere to. DeMoulas Super Markets, Inc. has the right to curtail any fund-raising events we feel necessary.

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DeMoulas Super Markets, Inc.

STORE LOCATION: Haverhill #48

DATE(S): March 21

15.1

**CITY COUNCIL**

**Timothy J. Jordan**, *President*  
**John A. Michitson**, *Vice President*  
**Thomas J. Sullivan**  
**Colin F. LePage**  
**Melissa J. Lewandowski**  
**Catherine P. Rogers**  
**Shaun P. Toohey**  
**Michael S. McGonagle**  
**Daniel R. Diodati**  
**Devan Ferreira**  
**Ralph T. Basiliere**



CITY HALL, ROOM 204  
4 SUMMER STREET  
TELEPHONE: 978-374-2328  
FACSIMILE: 978-374-2329  
[WWW.CITYOFHAVERHILL.GOV](http://WWW.CITYOFHAVERHILL.GOV)  
[CITYCOUNCIL@HAVERHILLMA.GOV](mailto:CITYCOUNCIL@HAVERHILLMA.GOV)

**CITY OF HAVERHILL**

HAVERHILL, MASSACHUSETTS 01830-5843

February 18, 2026

To: President and Members of the City Council

Vice President John Michitson submits the summary of minutes and recommendations of the Planning and Development Committee meeting held on February 9, 2026 for acceptance and approval.

*John A. Michitson*  
Vice President John A. Michitson 

(Meeting: 2.24.26)

FEB 20 AM 8:28  
HAVCITYCLERK

## CITY COUNCIL

**Timothy J. Jordan**, *President*  
**John A. Michitson**, *Vice President*  
**Thomas J. Sullivan**  
**Colin F. LePage**  
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CITY HALL, ROOM 204  
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## CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

### MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE MEETING

**February 9, 2026**

A Planning and Development Committee Meeting was held on Monday, February 9, 2026 at 6:00 PM in the City Council Chambers, Room 202

Committee Members: Committee Chair, John Michitson, Councilor Catherine Rogers and Councilor Daniel Diodati

Councilors Present: President Timothy Jordan, Councilor Devan Ferreira, Councilor Sullivan and Councilor Lewandowski (remote)

City Officials: Mayor Melinda Barrett, Lt. Kevin Lynch, Police Department, Andrew Herilthy, Community Development, Robert Ward, DPW Director and Jacki Byerly, Planning Director

The following item was discussed: **Pedestrian Safety in Haverhill**

Chairman Michitson opened the meeting with an overview of the proposed five-year pedestrian safety plan being developed in partnership with the Merrimack Valley Planning Commission (MVPC), aligned with the City of Haverhill's commitment to Vision Zero—an international initiative focused on eliminating traffic fatalities and severe injuries while improving equitable mobility. The plan's high-level goals include creating a data-driven dashboard to identify high-risk intersections, conducting prioritized road safety audits, deploying low-cost "quick build" safety improvements, and formalizing a funding strategy to access state and federal resources. The intent is to establish an ongoing, quarterly rhythm for reviewing data, recommending projects, and advancing implementation.

Al Perreira (39 Smith Street) presented videos and photos documenting frequent pedestrian and traffic violations at Winter Street, Main Street, River Street, and Monument Square, citing red-light running, failure to yield, inadequate lighting, inconsistent pedestrian signals, and speeding. He recommended enhanced lighting, high-visibility crosswalks, temporary traffic calming measures, reduced speed limits, and stressed that

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**Catherine P. Rogers**  
**Shaun P. Toohey**  
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**Daniel R. Diodati**  
**Devan Ferreira**  
**Ralph T. Basiliere**



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enforcement must accompany infrastructure improvements. Norman Rheame (484 West Lowell Avenue) stated he became blind two years ago and is unable to safely cross River

Street to access the bus, requesting a crosswalk and bus stop and noting the lack of audible signals at River Street and Lowell Avenue. Cory Thurlow (70 Washington Street) raised concerns about inconsistent pedestrian signal timing on Washington Street, with crossing times often too short, and inconsistent “No Turn on Red” signage, recommending review for safety and consistency. Steve Comei (22 Lansing Avenue) called for better public education on concurrent and exclusive walk signals and push-button requirements, questioned safety at the former Oasis area on River Street, suggested curb bump-outs to shorten crossings, and cited ongoing issues near Mark’s Deli where drivers fail to stop before turning right, endangering pedestrians.

Lt. Kevin Lynch reported 32 pedestrian crashes over the past year, including one fatality, with 53% occurring at intersections and pedestrians involved in about 2% of total crashes. He cited distracted driving, noting 823 hands-free violations, and discussed challenges with crosswalk placement on state roads like River Street, ADA noncompliance, and the funding required for upgrades. He also outlined enforcement efforts supported by municipal road safety grants, including pedestrian decoy operations, and explained that traffic cameras can only be used for bus red-light violations.

President Jordan encouraged expanding traffic safety education in schools and incorporating high-accident areas into a five-year plan while pursuing grants. Councilor Diodati asked about fines, with Lt. Lynch detailing hands-free penalties ranging from \$105 to \$500 and noting jaywalking fines are \$1 and rarely enforced up to the individual officer; sidewalk snow enforcement is handled with discretion. Councilor Ferreira raised concerns about downtown parking, blocked crosswalks, and pedestrian safety near schools and bus stops, while Lt. Lynch described enforcement as most effective when officers are visibly present. Councilor Rogers asked about speed bumps and signal timing, with Lt. Lynch noting challenges such as snow removal and emergency response delays and referencing ongoing striping issues on River Street requiring MassDOT intervention. Chair Michitson inquired about voluntary educational videos. Mayor Barrett highlighted city efforts including traffic signal maintenance, 50 miles of sidewalk plowing the city does, a

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proposed tiered snow fines is in the planning stages, \$80,000 budgeted for roadway paint, and continued pursuit of Complete Streets and Safe Streets grants.

Councilor Ferreira reviewed current pedestrian safety grants and timelines and discussed low costs improvements like bollards and striping and considered longer term solutions such as flashing beacons. She noted reactivating the city's 2018 complete streets policy and committee to strengthen coordination moving forward.

Robert Ward, DPW Director, addressed the committee. He discussed the City's Complete Streets policy and related grant programs. He explained that the Complete Streets Prioritization Plan, developed through a MassDOT grant with Beta Engineering, identifies citywide projects with defined scopes and cost estimates, allowing the City to apply for competitive construction grants. Haverhill has received two Complete Streets construction grants: one for the Main Street/March Avenue intersection and another for improvements near Whittier School, though the latter may require additional City funding to cover costs exceeding the \$500,000 award. He also outlined two federally funded Safe Streets for All (SS4A) demonstration grants for pedestrian safety improvements at Columbia Park/Main Street and along Main Street from Monument Square to Merrimack Street; these projects require a 20% local match and include temporary measures with data collection before permanent funding can be sought. Members discussed public outreach, committee involvement, prioritization methods using crash and traffic data, and opportunities to incorporate Complete Streets elements into private development. Additional grant applications include a federal BUILD (formerly RAISE) grant for the Route 110/River Street corridor and MassDOT LEAP and Bottleneck grants for targeted roadway improvements.

Jacki Byerley, Planning Director, addressed the committee. She noted elements maybe incorporated into special permit projects on a case-by-case basis through the city's review process. Traffic studies and mitigations measures would be evaluated as needed. The city may work with developers to include upgrades such as crosswalks, or sidewalk improvements as part of the required roadwork.

Councilor Ferreira stated she provided a packet to the committee from Lowell's Neighborhood Traffic Calming Program as a model for addressing cut-through traffic and improving pedestrian and bicycle safety. Lowell uses data-driven criteria phased speed

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hump installations, and tools such as flex posts, bump-outs, and striping, while ensuring emergency access is maintained. The system also includes a 311 and GIS tracking system for resident requests. She would like to go back to city council to guide implementation and support. Chair Michitson stated I think that is a good specific recommendation. You would come forth with it and the council would consider it, it would probably go out to all the departments to get their assessment through the Mayor's Office and then come back to the City Council.

Brendan MVPC stated MVPC worked with them to install a demonstration project on 113 putting in flex posts and painting. The project went out a little late and we didn't end up putting the flex posts in before the winter, but they should be going out there this spring. We are going to do traffic counts before and after to see what impact it has.

Chair Michitson stated I think the way ahead is that we get minutes together and we will make sure that we get them out to everyone and we will come back to the City Council and hopefully come up with specific recommendations.

Committee Member Rogers motioned to adjourn. Second by Committee Member Diodati.

YEAS 3, NAYS 0

**ADJOURNED: 19:40:41**

Respectfully submitted:

*John A. Michitson*

John A. Michitson

Chair Planning and Development Committee

15.2

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February 19, 2026

To: President and Members of the City Council

Vice President John Michitson wishes to announce the Planning and Development Committee meeting on Monday, March 2, 2026 at 6PM in Room 202, City Council Chambers.

*John A. Michitson*  
Vice President John A. Michitson

(Meeting: 2.24.26)

FEB 20 4:48:28 PM  
MANCIVCLERK

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HAVERHILL, MASSACHUSETTS 01830-5843

**AMENDED**

February 19, 2026

TO: Kaitlin M. Wright, City Clerk

RE: Planning and Development Committee Meeting -  
**Monday, March 2, 2026, 6:00 PM**

Dear Ms. Wright:

Please be advised, I have scheduled a Planning and Development Committee meeting for **Monday, March 2, 2026, at 6:00 PM in the City Council Chambers, Room 202, City Hall, 4 Summer Street.**

The purpose of the meeting is to discuss and review the following:

- Doc. 94-B Motion by Councilor Ferreira to look at updating the standards of Ch. 250 Article VI of the Haverhill Zoning Code regarding water use restrictions established in 2016.
- Doc. 1-F Motion by Councilor Lewandowski to send for discussion relative to establishing or formalizing and ordinance regarding water conservation program.

You can also join the meeting remotely by using the link: <https://meet.google.com/vfw-fsef-ykk>

Sincerely,

*John A. Michitson*

John A. Michitson, Chairperson  
Planning and Development Committee

JAM/lar

Attachments

C: P&D Committee Members, City Council, Mayor Melinda E. Barrett, Engineering Department, Robert Ward, Jacki Byerley-Planning Department, Andrew Herlihy-Community Development, City Solicitor Lisa Mead

## Lori Robertson

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**From:** Erinn Scott <escott@haverhillcommunitytv.org>  
**Sent:** Thursday, February 19, 2026 9:05 AM  
**To:** Lori Robertson; Matt Belfiore; Dave Shultz; Lindsay Paris;  
Escott@haverhillcommunitytv.org; cbowden; cellson; Matthew Scharn; Kaitlin Wright;  
John Michitson; J Michitson  
**Subject:** Planning & Development Meeting - Monday, March 2, 2026, at 6PM

Warning! External Email. Exercise caution when opening attachments or clicking on any links. .

**Warning! External Email. Exercise caution when opening attachments or clicking on any links.**

Good morning!

**Here is the information to virtually join the Planning & Development Meeting through Google Meet on Monday, March 2, 2026.**

<https://meet.google.com/vfw-fsef-ykk>

Or open Meet and enter this code: vfw-fsef-ykk

Dial in (audio only): (US) +1 971-716-1755 PIN: 954 920 995#

Erinn E. Scott, Office Manager  
[escott@haverhillcommunitytv.org](mailto:escott@haverhillcommunitytv.org)  
HC Media  
60 Elm St.  
Haverhill, MA 01830  
(978) 372-8070 Ex. 202

## Chapter 250. Water

### Article VI. Water Use Restriction

#### § 250-22. Authority.

This article is adopted by the City under its police powers to protect public health and welfare and its powers under MGL c. 40, § 21 et seq., and implements the City's authority to regulate water use pursuant to MGL c. 41, § 69B. This article also implements the City's authority under MGL c. 40, § 41A, conditioned upon a declaration of water supply emergency issued by the Commonwealth of Massachusetts Department of Environmental Protection (MassDEP).

#### § 250-23. Purpose.

The purpose of this article is to protect, preserve and maintain the public health, safety and welfare whenever there is in force a State of Water Supply Conservation or State of Water Supply Emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the City or by the Department of Environmental Protection.

#### § 250-24. Definitions.

As used in this article, the following terms shall have the meanings indicated:

**AGRICULTURE**

Farming in all its branches as defined at MGL c. 128, § 1A.

**AUTOMATIC SPRINKLER SYSTEM**

Any system for watering vegetation other than a hand-held hose or a bucket.

**NONESSENTIAL OUTDOOR WATER USE**

Those uses that are not required:

- A. For health or safety reasons;
- B. By regulation;
- C. For the production of food and fiber;
- D. For the maintenance of livestock; or
- E. To meet the core functions of a business (for example, irrigation by golf courses as necessary to maintain tees and greens, and limited fairway watering, or irrigation by plant nurseries or agricultural operations as necessary to maintain stock or establish new plantings, wash equipment to prevent damage and/or maintain performance, pest management and plant cooling).

**PERSON**

Any individual, corporation, trust, partnership or association, or other entity.

## STATE OF WATER SUPPLY CONSERVATION

A State of Water Supply Conservation declared by the City pursuant to § 250-25 of this article.

## STATE OF WATER SUPPLY EMERGENCY

A state of water supply emergency declared by the Department of Environmental Protection under MGL c. 21G, §§ 15 through 17.

## SUPPLY CAPACITY

A specific relationship between a reservoir's level and storage capacity expressed in percent.

## WATER CONSUMERS

All public and private users of the City's public water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility.

# § 250-25. Declaration of State of Water Supply Conservation.

The City, through its Water Division, may declare a State of Water Supply Conservation upon a determination by the Director or Deputy Director of Public Works that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all water consumers and to ensure compliance with the City's obligation under the Water Management Act. Public notice of a State of Water Supply Conservation shall be given under § 250-27 of this article before it may be enforced.

## § 250-25.1. Method of determining a State of Water Supply Conservation.

A. The City, through its Water Division, shall monitor the state of water supply. The City shall implement water conservation measures in stages based on trigger levels as set forth below.

<b>Drought Status</b>	<b>Trigger Level</b>	<b>Trigger Action</b>
Watch	5% reduction in Kenoza Lake supply capacity	Notice may be issued to all water consumers of the drought watch condition in accordance with § 250-27.
Warning	10% reduction in Kenoza Lake supply capacity	Notice shall be issued to all water consumers of the drought warning status in accordance with § 250-27. All water consumers may be requested to enact water conservation measures as described in § 250-26 on a voluntary basis.
Emergency	20% reduction in Kenoza Lake supply capacity	Notice shall be issued to all water consumers of the drought emergency status in accordance with § 250-27. All water consumers shall be required to comply with mandatory water conservation measures as described in § 250-26. All water consumers shall also be required to comply with any additional mandatory water conservation measures as may be mandated by the city through its Water Division.
Critical	35% reduction in Kenoza Lake supply capacity	Notice shall be issued to all water consumers of the critical drought status in accordance with § 250-27. All water consumers shall be required to comply with mandatory water conservation measures as described in § 250-26 in addition to those additional measures enacted to preserve the public water supply.

- B. In the event that the trend of the City's water supply is declining at a rate, as monitored and forecast by the Water Division, the City may elect to enact any one of the above drought status conditions to preserve the condition of the water supply.

## § 250-26. Restricted nonessential outdoor water uses.

A declaration of a State of Water Supply Conservation shall include one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the water supply. The applicable restrictions, conditions or requirements, as determined by the Director or Deputy Director of Public Works, shall be included in the public notice required under § 250-27.

- A. Nonessential outdoor water use days. Nonessential outdoor water use, by water users, is permitted only on the days per week specified in the State of Water Supply Conservation or State of Water Supply Emergency and public notice thereof.
- B. Nonessential outdoor water use ban. Nonessential outdoor water use is prohibited at all times.
- C. Nonessential outdoor water use hours. Nonessential outdoor water use is permitted only during the hourly periods specified in the declaration of a State of Water Supply Conservation and public notice thereof.
- D. Automatic sprinkler use. The irrigation of lawns via sprinklers or automatic irrigation systems is prohibited.
- E. All other nonessential outdoor water use not specifically mentioned above as specified in the State of Water Supply Conservation or State of Water Supply Emergency and public notice thereof.

### § 250-26.1. Exceptions to nonessential outdoor water use.

- A. Unless the drought status reaches emergency or critical, as certified by the Water Division and the Director of Public Works or Deputy Director of Public Works, then the following items may be exempted as nonessential outdoor water use.
  - (1) Irrigation with harvested and stored stormwater runoff;
  - (2) Water use for the purposes of agriculture;
  - (3) To meet the core functions of a business (for example, irrigation by golf courses as necessary to maintain tees and greens, and limited fairway watering, or irrigation by plant nurseries or agricultural operations as necessary to maintain stock or establish new plantings, wash equipment to prevent damage and/or maintain performance, pest management and plant cooling).
- B. The following outdoor water uses are subject to review and approval by the City, through its Water Division:
  - (1) Irrigation of public parks and recreation fields by automatic sprinkler before 7:00 a.m. and after 7:00 p.m.;
  - (2) Irrigation to establish replanted or resodded lawn or plantings during the months of May and September;
  - (3) Irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes or businesses newly constructed in the previous 12 months;
  - (4) Irrigation of gardens, flowers and ornamental plants by means of hand-held hose or drip irrigation systems; and

- (5) Irrigation of established lawns by means of a hand-held hose only.

## § 250-27. Public notification of State of Water Supply Conservation; notification of MassDEP.

- A. Notification of any provisions, restrictions, requirements or conditions imposed by the City as part of a State of Water Supply Conservation shall be published in a newspaper of general circulation within the City, or by such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Conservation. Any restriction imposed under this section shall not be effective until such notification is provided, but no later than 48 hours after the declaration of a State of Water Supply Conservation. The City may also notify the public using other means determined to be appropriate. Notification may also include e-mail, websites, public service announcements on local media or other such means.
- B. Submittal of MassDEP's form "Notification of Water Use Restriction" shall be provided to the Massachusetts Department of Environmental Protection per MassDEP regulations [310 CMR 22.15(8)].

## § 250-28. Termination of State of Water Supply Conservation; notice.

A State of Water Supply Conservation may be terminated by the Director or Deputy Director of Public Works of the Water Division upon a determination that the water supply shortage no longer exists. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner required by § 250-27 for notice of its imposition.

## § 250-29. State of Water Supply Emergency; compliance with MassDEP orders.

- A. Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department intended to bring about an end to the state of emergency.
- B. Notification of any provisions, restrictions, requirements or conditions imposed by the declaration of a State of Water Supply Emergency shall be published in a newspaper of general circulation within the City, or by such other means reasonably calculated to reach and inform all users of water of the State of Water Supply Emergency. Any restriction imposed under this section shall not be effective until such notification is provided, but no later than 48 hours after the declaration of a State of Water Supply Emergency. The City may also notify the public using other means determined to be appropriate. Notification may also include e-mail, websites, public service announcements on local media or other such means.

### § 250-29.1. Termination of State of Water Supply Emergency; compliance with MassDEP orders.

Upon notification to the City that the declaration of a State of Water Supply Emergency has been terminated by the Department of Environmental Protection, the public will be notified of the termination in the same manner as is required by § 250-29 for notice of its imposition.

## § 250-30. Violations and penalties.

- A. Any person violating this article shall be liable to the City in the amount listed below:
- (1) First violation: warning.
  - (2) Second violation: \$50.
  - (3) Third and subsequent violations: \$100 and may be subject to termination of water service.
- B. Fines shall inure to the City for such uses as the Director or Deputy Director of Public Works may direct. Each day of violation shall constitute a separate offense. Fines shall be recovered by indictment, or by complaint before the District Court, or by noncriminal disposition in accordance with MGL c. 40, § **21D**. For purposes of noncriminal disposition, the enforcing person shall be any police officer of the City or the Director or Deputy Director of Public Works or their designee. If a State of Water Supply Emergency has been declared, the Water Division may, in accordance with MGL c. 40, § **41A**, shut off the water at the meter or the curb stop.

### § 250-30.1. Severability.

The invalidity of any portion or provision of this article shall not invalidate any other portion or provision thereof.



CITY OF HAVERHILL  
CITY COUNCIL MINUTES

Tuesday, September 16, 2025, at 7:00 PM

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

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

Remote: Councilor Hobbs Everett

Absent: None

City Clerk: Kaitlin M. Wright

**1. OPENING PRAYER**

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF MINUTES OF PRIOR MEETING**

**AUGUST 5, 2025**

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

MOTION BY COUNCILOR FERREIRA TO PLACE ON FILE, SECOND BY VICE PRESIDENT JORDAN

PASSED

YEAS 11, NAYS 0, ABSENT 0

**AUGUST 19, 2025**

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

MOTION BY COUNCILOR LEWANDOWSKI TO PLACE ON FILE, SECOND BY COUNCILOR TOOHEY

PASSED

YEAS 11, NAYS 0, ABSENT 0

**4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING:**

PRESIDENT SULLIVAN ASSIGNED THE MINUTES TO COUNCILOR TOOHEY

**5. COMMUNICATIONS FROM THE MAYOR:**

5.1. Mayor Barrett requests to introduce *Public Works Director* Robert E. Ward to provide an update on the current drought status in the City of Haverhill

94-B

Robert Ward, DPW Director, addressed the council. He went through a PowerPoint presentation. He stated we currently are in a better position than we were last spring, when a drought emergency required mandatory water restrictions. The city has a management plan required by DEP and adopted in 2016 (Ch. 250 article VI). At this time, we are in the drought warning zone, meaning water conservation is voluntary but strongly encouraged. With dry weather expected to continue residents and businesses are urged to limit outdoor watering, saving water now helps avoid stricter rules later. He informed the council about water levels around the city. All this information will be posted on the city website. Councilor Basiliere asked about updates on drawing water from the Merrimack River off of East Broadway. Robert Ward stated the city is working on acquiring the necessary parcel, which is likely to proceed through eminent domain. He noted that permitting is underway, and a contract for the final design of the well is ready to be signed. Councilor Basiliere stated he is in support for using eminent domain in this case, citing the city's need for water and the project's importance. Councilor Lewandowski asked where residents could get the faucets and asked about individual signs throughout the city as a reminder for residents about drought status. Robert Ward stated Room #300 Water Billing Office. He noted the signs he has seen in other communities but for whatever reason it hasn't been done. We do have a sign division, and it shouldn't be too difficult. Councilor Ferreira questioned if he noticed an impact when we have voluntary measures. She stated concerns about the outdoor water use with droughts and that the city is not acting quickly enough as growth increase demand. She suggests revisiting when we go stricter and earlier conservation measures and a way to track this information. She noted she feels like the city is out of date on where our standards are. Robert Ward stated this is really the first time that we have had voluntary measures in place. Water supply challenges



**CITY OF HAVERHILL**  
**CITY COUNCIL MINUTES**  
**Tuesday, September 16, 2025, at 7:00 PM**  
**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202**  
**In-Person/Remote Meeting**

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vary by region and river system, and each community creates its own water management plan under DEP guidelines. Councilor Jordan stated he understands the concerns that Councilor Ferreira has. He suggested sending this to Planning and Development Committee and maybe data from the State could be provided to look at updating the standards that were set in 2016.

Motion by Councilor Ferreira to send to our subcommittee for Planning and Development, Second by Vice President Jordan.

PASSED

YEAS 11, NAYS 0, ABSENT 0

*11.2.1 Treasurer and Collector of Taxes – Lynn Spitalere, 123  
Mercury Ter, expires December 31, 2025* 16-M

Mayor Barrett addressed the council and introduced Lynn.  
Lynn Spitalere addressed the council. She gave a background of her previous jobs.

MOTION BY COUNCILOR MICHITSON TO RECEIVE AND PLACE ON FILE, SECOND BY COUNCILOR LEPAGE  
PASSED YEAS 11, NAYS 0, ABSENT 0

5.2. Mayor Barrett submits an order authorizing the City Council to  
establish the Zins Playground Landscaping and Maintenance Fund for  
the receipt of gifts to be spent on the landscape and beautification of  
Zins Playground and Park at 341 Groveland St 94-C

Mayor Barrett and Andrew Herilhy, Community Development addressed the council. Andrew stated we are working on a small pocket park using some CDBG funds, it is not meant to compete with larger parks like Riverside but has sparked strong neighborhood interest and even private donations.

Deb Henegan addressed the council. She noted this honors the spirit of my grandfather who helped rally the neighborhood for the original playground. With \$70,000 in CDBG funding and a beautiful, inclusive redesign, we are bringing that space back to life. She noted she has been fundraising locally and on Octboer 30<sup>th</sup> there will be a fundraiser at the American Legion to hopefully raise \$5,000 for future maintenance. It will be a true community effort.

The Mayor noted we are setting up an account through the city for donations.

MOTION BY COUNCILOR MICHITSON TO APPROVE THE ORDER, SECOND BY COUNCILOR LEWANDOWSKI  
PASSED YEAS 11, NAYS 0, ABSENT 0

15.2 President Sullivan request to establish the Macek Memorial  
Landscaping and Maintenance (L&M) Fund for the receipt of gifts to  
be spent on landscape beautification at the Macek Memorial  
Park 33-Q

President Sullivan stated a new memorial honoring the 26-year city council veteran is in place, with landscaping set to begin soon. While the original project used a mix of funds, none were allocated for

# Drought Status Update

City Council Meeting

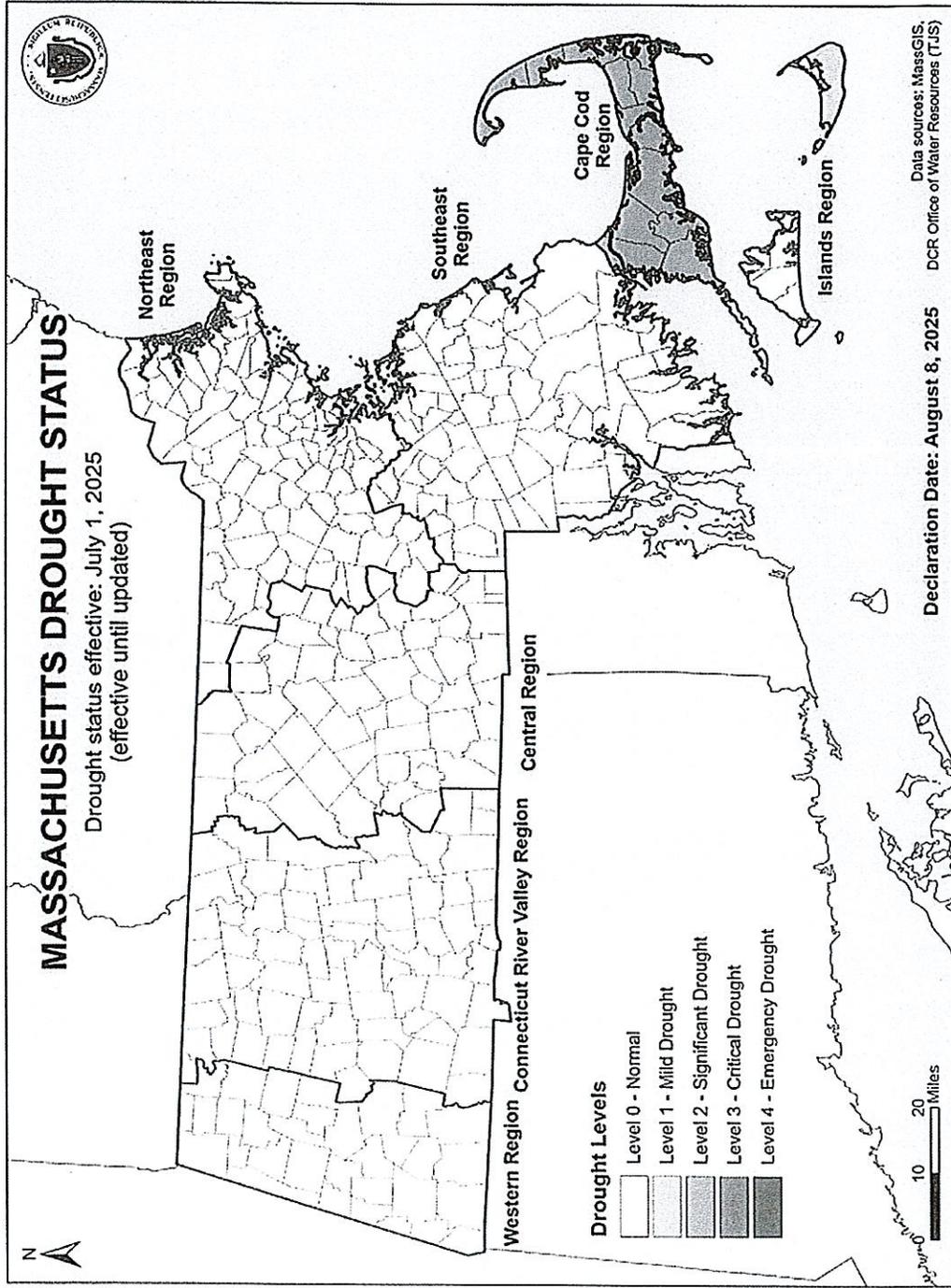
September 16, 2025

# Background

- Drought Warning in November 2024
- Emergency Drought declared March 18<sup>th</sup>
  - Mandatory water use restrictions
- Emergency Drought ended in May
  - Voluntary water conservation
- Reservoirs levels continued to rise through mid June
- Typical summer decline through September
- June through September – below average rainfall

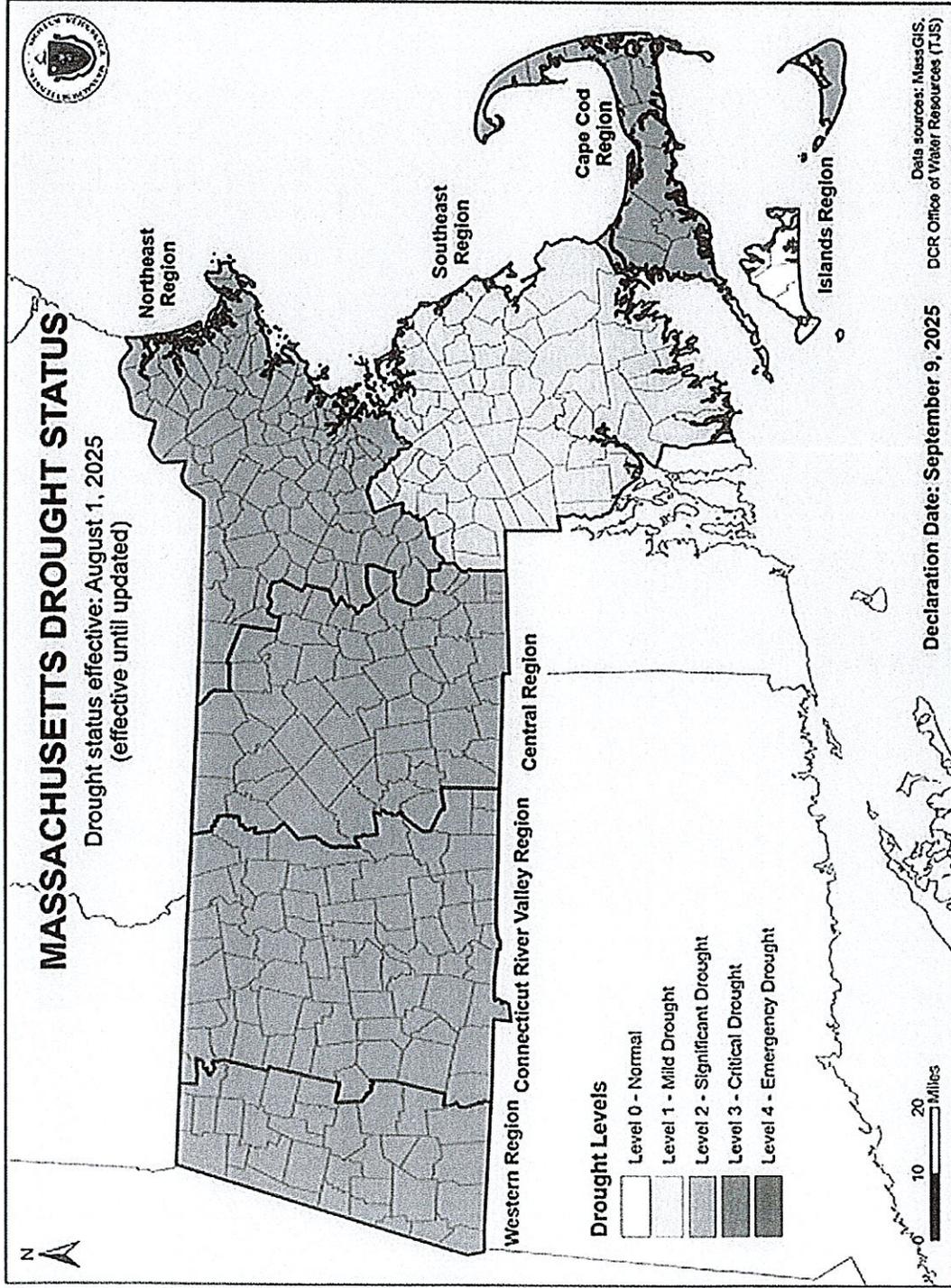
# Massachusetts Drought Status

## June and July 2025



# Massachusetts Drought Status

August 1, 2025



# Haverhill's Drought Management Plan

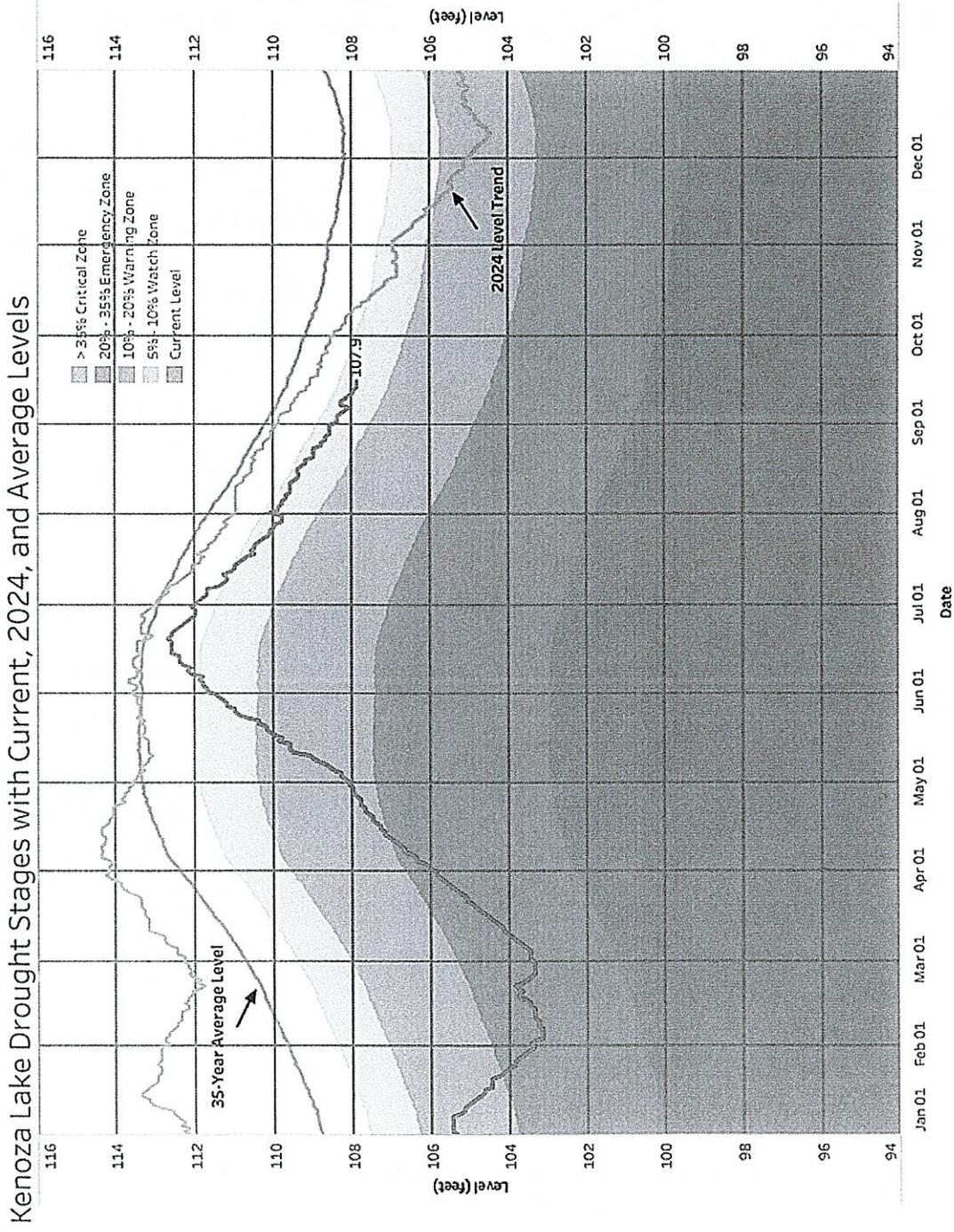
- Chapter 250, Article VI Water Use Restriction
- Adopted in 2016 and required by MassDEP
- Defines required water conservation actions based on reservoir levels
  - Watch
  - Warning – voluntary conservation
  - Emergency – mandatory water restrictions
  - Critical – mandatory restrictions plus additional measures

# Reservoir Status



- Kenoza Lake
  - Current level 107.9 feet (full is 114.5 feet)
  - 1.8 feet lower than average
  - Low level – 103.2 feet during the drought emergency
- Millvale Reservoir – low level, pumps are off
- Crystal Lake will be shut off in one to two weeks

# Kenoza Lake Levels



**Current lake levels is 107.8 feet**

# Dry Weather Continues

- Rainfall for June, July and August
- Historical average 10.5 inches vs. 6.3 inches this year and 9.3 inches in 2024
- September continues to be dry
- Forecast – more dry weather

The 7-Day Forecast						
Today	Wednesday	Thursday	Friday	Saturday	Sunday	Monday
						
	A Sprinkle Can't Be Ruled Out	Spotty AM Showers		Trending A Little Cooler		
77°F	74°F	79°F	80°F	67°F	70°F	76°F
	51°F	55°F	56°F	49°F	45°F	49°F

# Status – Drought Watch

- Current status - Drought watch.
- All water users are strongly encouraged to increase voluntarily water conservation measures.

Voluntary conservation measures now will help avoid mandatory restrictions.

# Conservation Measures for Outdoor Water Use

- Reduce or avoid lawn watering and turn off automatic sprinkler systems
- Use a watering can, hose with an automatic shut-off nozzle, or drip irrigation system. Use tree watering bags.
- Water before 7:00 a.m. or after 7:00 p.m.
- Wash vehicles at commercial car washes.
- Reduce or avoid washing sidewalks, driveways, patios, decks, or other paved surfaces.
- Reduce or avoid water use for dust control, construction site cleaning, or similar activities.

# Please conserve water indoors

- Check for toilet and faucet leaks and fix them immediately
- Run dishwashers and washing machines only on a full load
- Shorter showers or utilize the flow control feature built into many newer showerheads
- Use a commercial car wash where water is typically recycled
- Water Billing Office has water-saving faucet and showerhead fixtures
- We will continue to monitor reservoir levels and make adjustments as needed

Questions?



CITY OF HAVERHILL  
CITY COUNCIL MINUTES

Tuesday, January 27, 2026, at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202

In-Person/Remote Meeting

Present: President Jordan, Councilors Michitson, Basiliere, Diodati, Sullivan, Ferreira, Lewandowski, Toohey, McGonagle, LePage and Rogers

Remote: None

Absent: None

City Clerk: Kaitlin M. Wright

doc. 1-f

**1. OPENING PRAYER**

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF MINUTES OF PRIOR MEETING**

COUNCILOR LePAGE STATED HE REVIEWED THE MINUTES AND FINDS THEM IN ORDER, SECOND BY COUNCILOR MCGONAGLE

PASSED

YEAS 11, NAYS 0, ABSENT 0

**4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING:**

PRESIDENT JORDAN ASSIGNED THE MINUTES TO COUNCILOR ROGERS

**5. COMMUNICATIONS FROM THE MAYOR:**

- 5.1. Mayor Barrett wishes to introduce *Fire Chief* Chris Cesati and *Assistant Chief* Eric Tarpay to discuss winter fire safety measures 1d

Fire Chief Chris Cesati and Assistant Chief Eric Tarpay addressed the council. Chief Cesati emphasized storm related safety, including keeping home heating and hot water vents clear of snow. He also urged residents to clear nearby fire hydrants and sidewalks, as buried hydrants and blocked access can delay emergency response and increase the risk. Councilor Lewandowski mentioned the adopt a hydrant program. Chief Cesati informed the public they can call the Fire Department office to find out more information. Councilor Lewandowski also mentioned a fire on Gile Street and provided a go-fund me link that can be found on Facebook to help the family out.

- 5.2. Mayor Barrett wishes to introduce Deyanarah Gutierrez and recognize her for completing her internship in the Mayor's office 1e

Mayor Barrett introduced Deyanarah Gutierrez and thanked her for her dedication and contributions during her three-year internship with the Mayor's Office. She and Council President Jordan then presented her with a citation on behalf of both the Mayor's Office and the City Council.

- 5.3. Mayor Barrett wishes to introduce *DPW Director* Robert E. Ward to discuss continuing drought conditions 1f

Robert Ward, DPW Director, presented his PowerPoint presentation on the drought conditions.

Motion by Councilor Lewandowski to send for discussion relative to establishing or formalizing an ordinance regarding water conservation program to planning and development committee. Second by Vice President Michitson

Councilors discussed water supply conditions, potential drought restrictions and conservation measures. Robert Ward stated if the city enters the critical water zone, additional restrictions would be imposed, and outdoor water use such as lawn irrigation would be eliminated first. He also mentioned raising the possibility of suspending wastewater billing credits for irrigation deduct meters. Councilor Lewandowski mentioned other communities' water neutral growth ordinances which was discussed with Kate Emery from the Merrimack Valley Planning Commission. Councilor Rogers asked about leak detection and Robert Ward described the use of meter data and acoustic monitoring. Councilor Ferreira asked about bilingual notices and a program that allows residents to review their water usage..



**CITY OF HAVERHILL  
CITY COUNCIL MINUTES**

**Tuesday, January 27, 2026, at 7:00 PM**

**Theodore A. Pelosi, Jr. Council Chambers, 4 Summer st, Room 202**

**In-Person/Remote Meeting**

Robert Ward noted there is not a lot of space on the bill and maybe a Q-R code could be used. The Mayor reiterated the reason why they were discussing this item tonight is because there is concern.

MOTION BY COUNCILOR LEWANDOWSKI TO SEND FOR DISCUSSION RELATIVE TO ESTABLISHING OR FORMALIZING AN ORDINANCE REGARDING WATER CONSERVATION PROGRAM TO PLANNING AND DEVELOPMENT COMMITTEE. SECOND BY VICE PRESIDENT MICHITSON

PASSED

YEAS 11, NAYS 0, ABSENT 0

5.4. Mayor Barrett submits an order to accept a gift of \$5,000.00 from Broco Energy for use by the Police Department to acquire a new service comfort dog

5.4.1. Order-That the City Council on behalf of the City votes to accept a gift of \$5,000.00 dollars from Broco Energy. The gift shall be used exclusively toward the purchase of new service comfort dog for the Haverhill Police Department

4a

Mayor Barrett, Officer Boyle and Officer Graham addressed the council and thanked Broco for the generous gift. They noted a comfort dog will be purchased with the money.

MOTION BY COUNCILOR LEPAGE, SECOND BY COUNCILOR TOOHEY

PASSED

YEAS 11, NAYS 0, ABSENT 0

5.5. Mayor Barrett submits an order to authorize expense of funds in excess of the FY26 snow and ice appropriation

5.5.1. Order- That the City is authorized in accordance with MGL Ch.44, § 31D, to overspend the fiscal 2026 snow and ice appropriation in order to protect the life and safety of its inhabitants

1g

Mayor Barrett and Robert Ward addressed the council. The Mayor noted by state law that we are allowed to overspend this line item.

MOTION BY COUNCILOR LEPAGE, SECOND BY COUNCILOR MCGONAGLE

PASSED

YEAS 9, NAYS 0, ABSTENTION 2 (BASILIERE & ROGERS), ABSENT 0

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

6.1. President Jordan requests to introduce Tracy Fuller, the *Executive Director* of the Haverhill YMCA, to discuss the Preschool Resource Fair being held at Haverhill High School on Thursday, January 29<sup>th</sup>

5a

Tracy Fuller, YMCA addressed the council. She spoke on behalf of the Early Learning Leadership Team about a community early learning event for families with children aged 0-5. The event will provide preschool and kindergarten resources and is supported by multiple local organizations.

**7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28**

# Water Supply Status Update

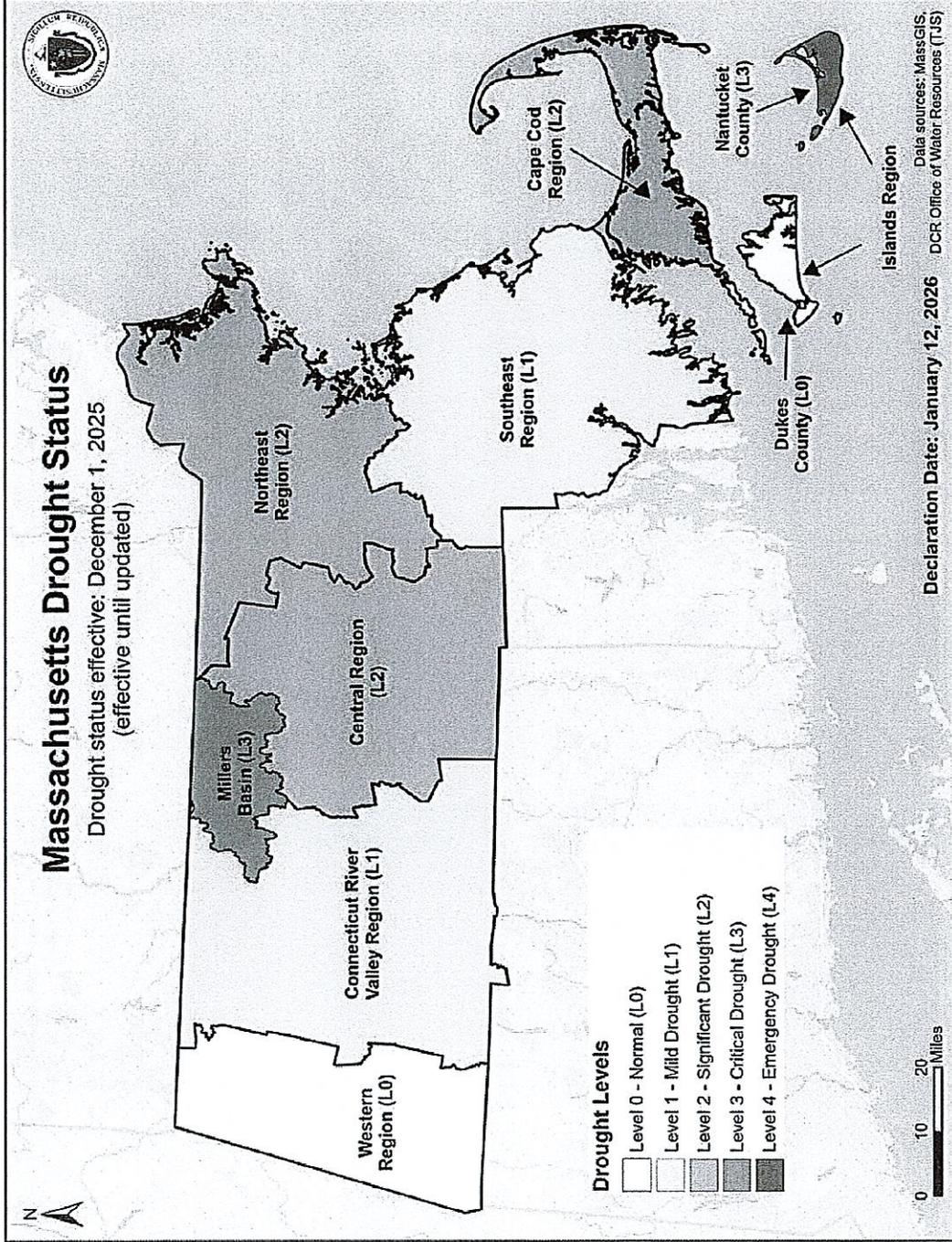
City Council Meeting

January 27, 2026

# Background

- Lack of precipitation continues
  - 2025 – 37.6 inches vs avg of 48.2 inches
- Twofold
  - Lower reservoir levels
  - Delayed seasonal recovery/recharge
- Statewide drought – Northeast Mass. - Level 2 Significant Drought
- Haverhill declared a Drought Emergency on December 18, 2025, in accordance with its Drought Management Plan (Chapter 250)

# Massachusetts Drought Status



January 2026

## Drought Management Plan (Chapter 250, Article VI)

- Adopted in 2016 and required by MassDEP
- Defines required water conservation actions based on reservoir levels
  - Watch (voluntary)
  - Warning (voluntary)
  - Emergency (mandatory)
  - Critical (mandatory plus)

Emergency Drought declared December 18<sup>th</sup>

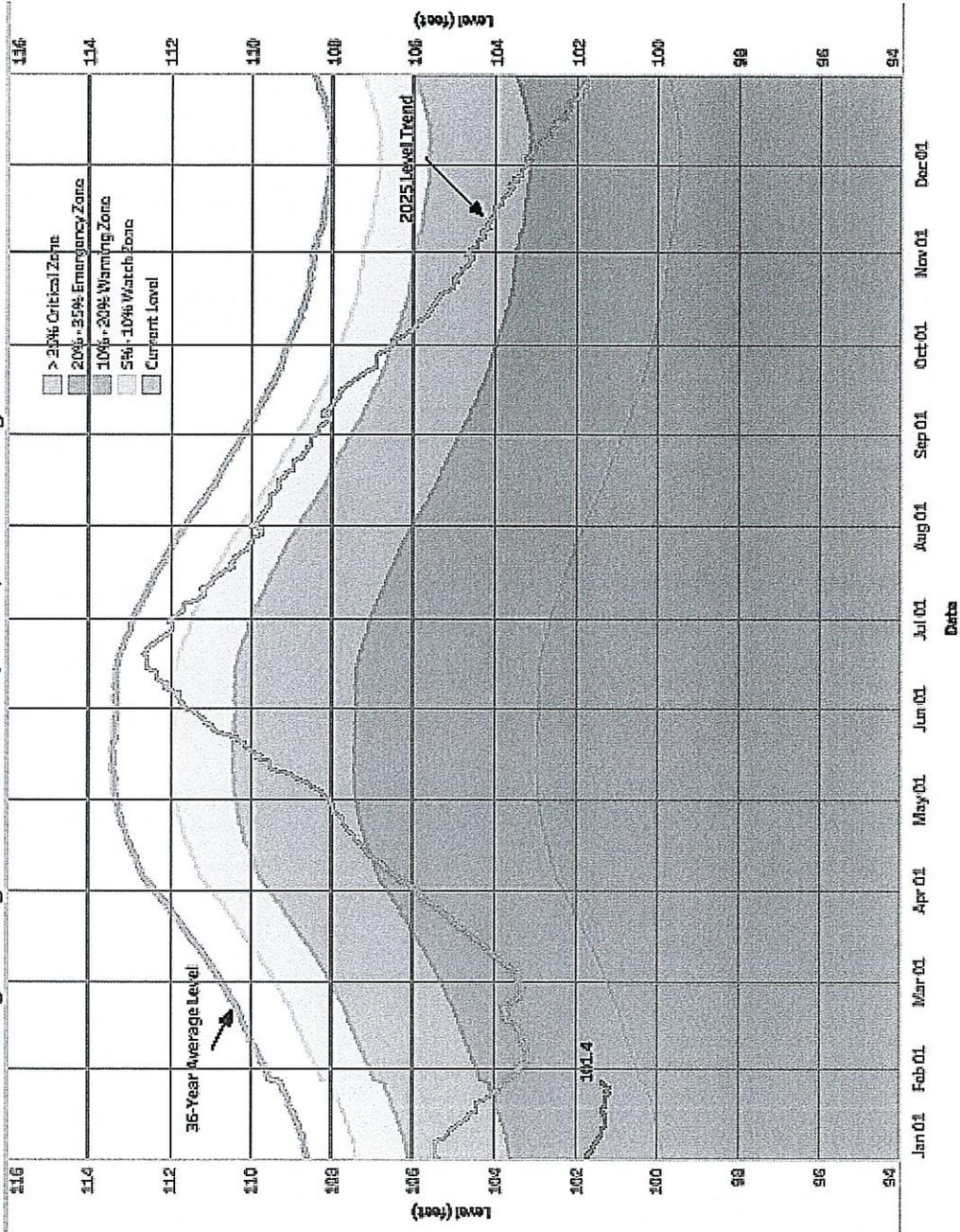
# Ongoing Drought

November 2024	Drought Watch
March 18, 2025	Declared Emergency Drought
May 14, 2025	Declared end of Drought Emergency
September 16, 2025	Drought Watch status
December 18, 2025	Declared Drought Emergency

# Current Reservoir Conditions

- Kenoza Lake
  - Current level – 101.4 feet
  - Full level – 114.5 feet
- Millvale Reservoir
  - Current level – 40.1 feet
  - Full level – 44.7 feet
  - Estimated days of pumping at 2 million gallons per day – 13 days
  - Status - Online – limited pumping
- Crystal Lake
  - Current level – 148.0 feet
  - Full level – 151.1 feet
  - Offline – not available at this time

Kenoza Lake Drought Stages with Current, 2024, and Average Levels

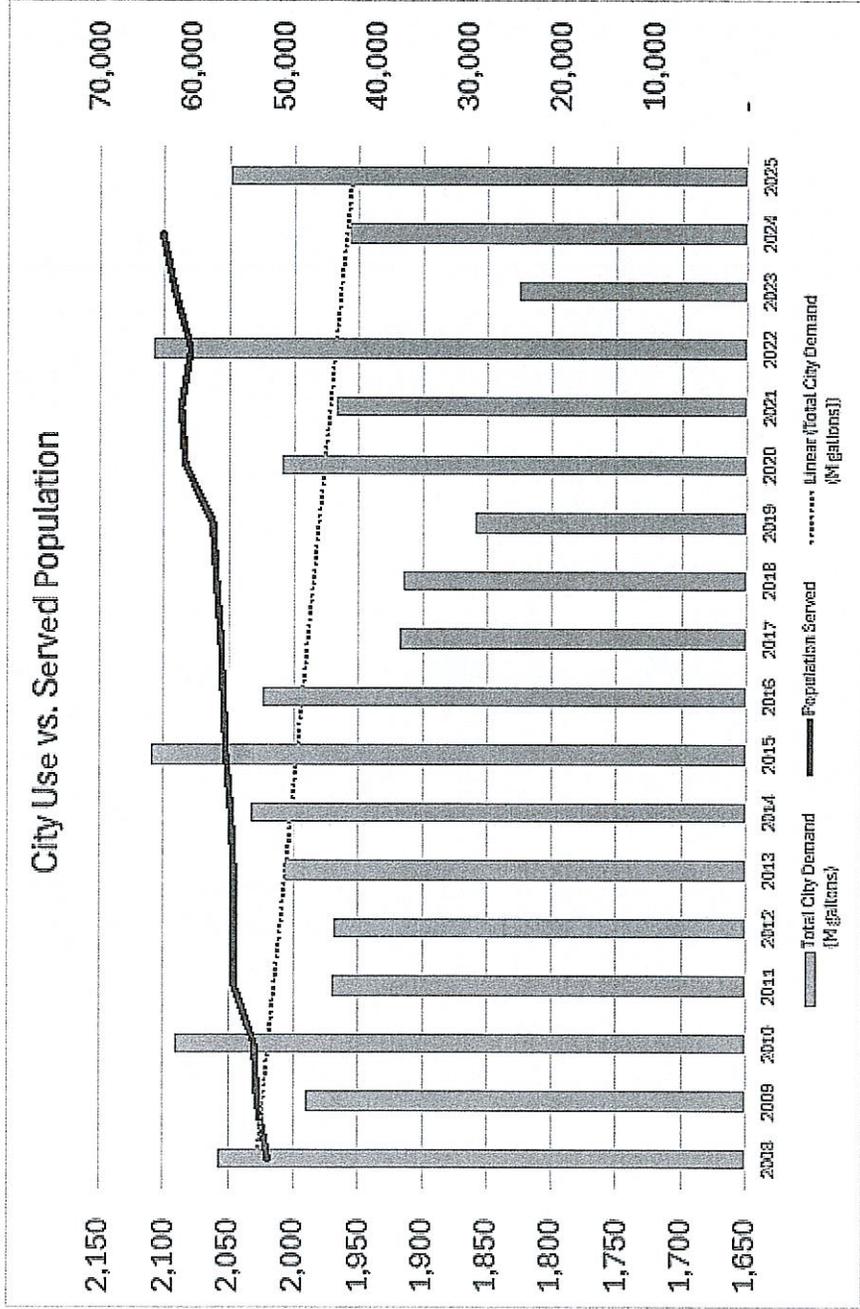


**Current lake level is 8 feet below average**

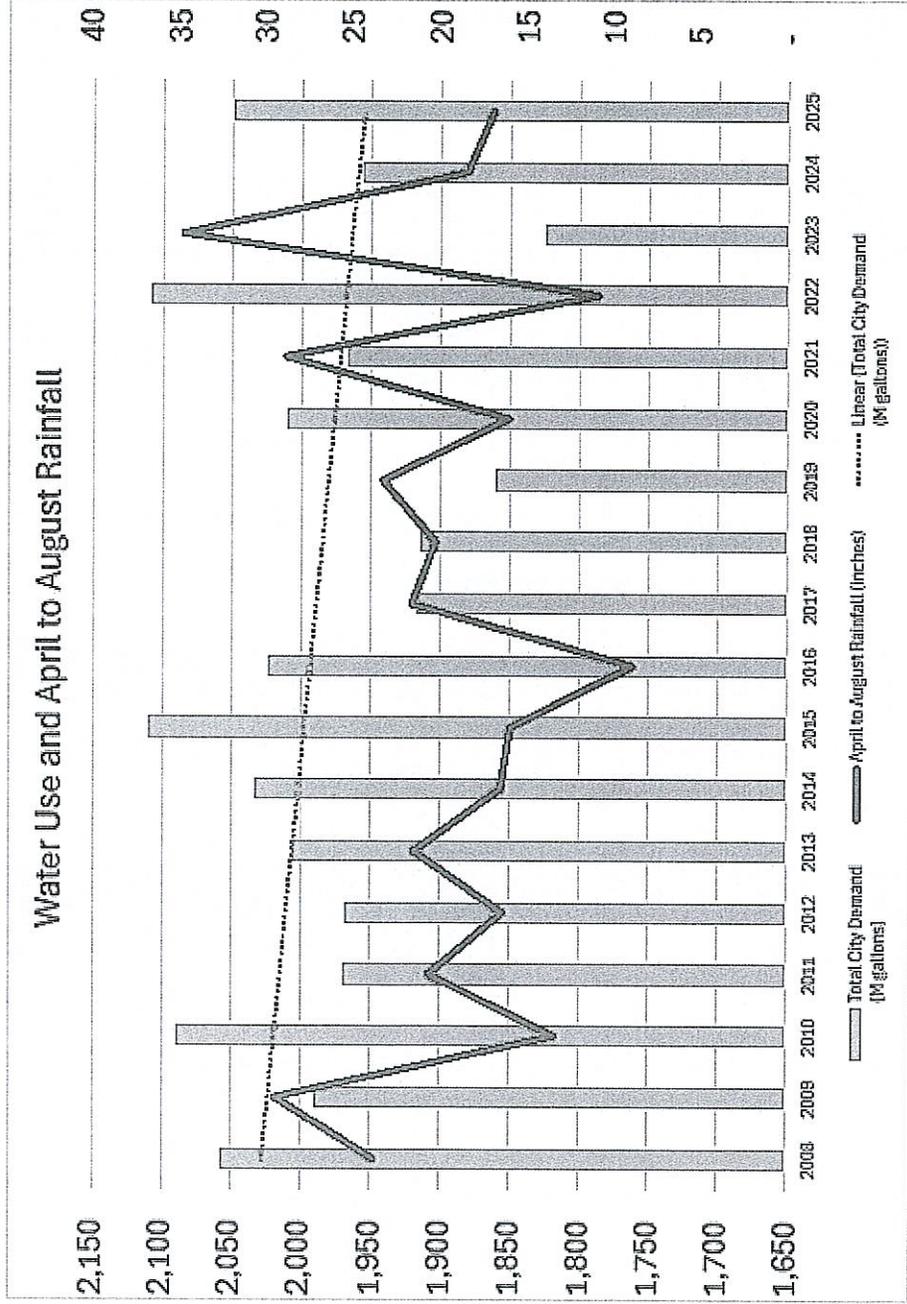
# What are we doing?

- Declared Drought Emergency under Chapter 250
- Public notification (website, Everbridge, bill messaging, direct notices)
- Outreach to large commercial/industrial water users to reduce non-essential demand
- Monitoring meter data for abnormal usage and potential leaks
- Enforcement and response to violations and complaints
- Considering more stringent water use restrictions
- Additional water supply measures under consideration, based on conditions

# Water Usage and Population



# Rainfall and Water Usage



# Drought Emergency Declaration

- Effective December 18, 2025
- Nonessential outdoor water use is prohibited at all times
- Exceptions per Chapter 250
- Uses subject to review and approval

Monitor reservoir levels and make adjustments

**It all depends on the weather!**

# Exceptions per Chapter 250

- Agriculture
- Uses for the core functions of a business
  - Golf courses - tees and greens, and limited fairway watering
  - Plant nurseries or agricultural operations
  - Wash equipment to prevent damage and/or maintain performance
  - Pest management
  - Plant cooling
- Irrigation with harvested and stored stormwater runoff

# First Tier – Allowable Uses

(Permitted only before 7:00 a.m. or after 7:00 p.m.)

- Watering of edible plants and vegetable gardens using a watering can, hose with an automatic shut-off nozzle, or drip irrigation system.
- Watering of newly planted trees, shrubs, or perennial plants using a watering can or hose with an automatic shut-off nozzle.
- Watering of trees using tree watering bags (filling bags with a hose is permitted).

## Second Tier – Allowable Uses

### Effective Date TBD

- Watering of newly seeded or sodded lawns during the initial 30-day establishment period.
- Irrigation of public parks and recreation fields by automatic sprinkler systems.

*Permitted only before 7:00 a.m. or after 7:00 p.m.*

# Prohibited Outdoor Water Use

- Irrigation of lawns, except for newly seeded or sodded lawns during the 30-day establishment period.
- Washing of vehicles, except at commercial car washes.
- Washing of sidewalks, driveways, patios, decks, or other paved surfaces.
- Operation of decorative fountains, water features, or ponds without aquatic life.
- Filling or topping off of swimming pools, hot tubs, or wading pools.
- Use of outdoor misting systems.
- Irrigation of ornamental plants, flowers, or non-edible gardens that are not newly planted.
- Lawn or landscape irrigation by automatic sprinkler systems, except for public parks and recreation fields.
- Non-essential water use for dust control, construction site cleaning, or similar activities.

# Please conserve water indoors

- Check for toilet and faucet leaks and fix them immediately
- Run dishwashers and washing machines only on a full load
- Shorter showers or utilize the flow control feature built into many newer showerheads
- Use a commercial car wash where water is typically recycled
- Water Billing Office has water-saving faucet and showerhead fixtures
- Run water only when necessary (lathering hands, shaving, etc.)

Questions?

14.1

## Document #19-A

Memorandum of Agreement between the City of Haverhill and the Animal Control/Mechanic/Bldg. Craftsman Custodian/ Custodian Union Group (Teamsters Local #170)

**IN CITY COUNCIL:** February 10, 2026

**File 10 Days**

**9 YEAS, 0 NAYS, 2 ABSENT**

Attest: Kaitlin M. Wright  
Kaitlin M. Wright, CMC  
City Clerk

Feb 24th 5.1 File 10 days



MELINDA E. BARRETT  
MAYOR

**CITY OF HAVERHILL  
MASSACHUSETTS**

CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
MAYOR@HAVERHILLMA.GOV  
WWW.CI.HAVERHILL.MA.US

February 6, 2026

To: City Council President Timothy J. Jordan and Members of the Haverhill City Council

From: Mayor Melinda E. Barrett

**RE: MOA - Animal Control/Mechanic/Bldg. Craftsman Custodian Union Group (Teamsters Local #170).**

Dear Mr. President and Members of the Haverhill City Council:

Please find attached a Memorandum of Agreement for the Animal Control / Mechanic/Bldg. Craftsman Custodian/Custodian Union Group (Teamsters Local #170). This item must be placed on file for 10 days after which I recommend approval.

Sincerely,

**Melinda E. Barrett**  
Mayor

meb/em



# Haverhill

Human Resources Department, Room 306

Phone: (978) 374-2357 Fax: (978) 374-2343

Denise McClanahan, HR Director – [dmcclanahan@haverhillma.gov](mailto:dmcclanahan@haverhillma.gov)

Christina Carrie, HR Technician – [ccarrie@haverhillma.gov](mailto:ccarrie@haverhillma.gov)

John DelRosso, HR Technician – [jdelrosso@haverhillma.gov](mailto:jdelrosso@haverhillma.gov)

Bridget Panniello, Head Clerk/Floater – [bpanniello@haverhillma.gov](mailto:bpanniello@haverhillma.gov)

TO: Mayor Melinda Barrett  
FROM: Denise McClanahan, HR Director  
DATE: February 5, 2026  
RE: MOA submission

As a result of recent negotiations, attached please find the MOA for the Animal Control/Mechanic/Bldg. Craftsman Custodian/Custodian Union Group (Teamsters Local #170). Please submit this document to the next City Council meeting for action.

dIm

Memorandum of Agreement  
Between  
**THE CITY OF HAVERHILL** and  
**THE ACO/Mechanic/Bldg- Craftsman Custodian/City Hall Custodian  
GROUP – Teamsters Local # 170**

FEB 6 10:18  
HAVERHILL CLERK

**CONTRACT INTEGRATION**

Upon approval, ratification, and funding of the memorandum of agreement which results from these negotiations, the parties shall agree to integrate within 60 days the terms thereof into the collective bargaining agreement in a timely manner.

**ARTICLE 2: UNION MEMBERSHIP**

**Section 2 – Drive, update (Local 170 Drive Fund)**

The employer agrees to deduct from the paycheck of all employees who submit authorization cards and are covered by this agreement voluntarily contributions to Local 170 DRIVE Fund. Local 170 Drive Fund shall notify the Employer of the amounts designated by each contributing employee that are to be deducted from his/her paycheck on a weekly basis for all weeks worked. The phrase “weeks worked” excludes any week other than a week in which the employee earned a wage.

On a monthly basis the Employer will transmit the total amount of deducted along with the name of each employee on whose behalf a deduction is made, the employee’s social security number and the amount deducted from the employee’s paycheck as outlined in the attached Local 170 DRIVE information Sheet to Local 170 DRIVE Fund, 330 Southwest Cutoff, Suite 201, Worcester, MA 01604. No such authorization shall be recognized if in violation of State and Federal Laws. No deductions shall be made, which is prohibited by applicable law.

**ARTICLE 6: HOURS OF WORK AND OVERTIME**

**Clean up language**

Section 1 – Clean up schedule to reflect current operations:

Shift A Tuesday through Saturday 7am-3pm

Shift B Sunday and Monday 7am – 3pm

Tuesday, Wednesday, Thursday 12pm – 8pm

Holidays – guarantee 4 hours or actual hours worked whichever is greater.

**ARTICLE 7: WAGES AND PRIVATE DETAILS**

**Amend Section 6: Longevity**

\$1,400            5 < 10 years

\$1,450            10 < 15 years

\$1,500            15 < 20 years

\$1,550	20 < 25 years
\$1,800	25 < 30 years
\$2,750	30 < 40 years
\$3,000	40 < 50 years
\$4,000	50+ years

**Amend Tool Allowance**

**Tool allowances (Police Mechanic only)**

Tool allowance increase from \$600 to \$1,000 annually

**Amend Clothing Allowance**

**Clothing allowances (as indicated)**

Police Mechanic – increase from \$725 to \$825

Building Maintenance Craftsman/Custodian – increase from \$325 to \$400

Building Custodian - increase from \$325 to \$400

**Section 4 Compensation**

2%salary increase effective 7-1-2024

2%salary increase effective 7-1-2025

2%salary increase effective 7-1-2026

**Steps**

Except for the Building Maintenance Craftsman/Custodian position, effective 7/1/25 - remove step 1 and add new step at the end of each scale with a 3.5%increase.

Except for the Building Maintenance Craftsman/Custodian position, effective 7/1/26 - remove step 1 and add new step at the end of each scale with a 3.5%increase.

The Building Maintenance Craftsman/Custodian position salary scale will be as follows:

	STEP 1	STEP 2	STEP 3
7/1/2024	\$26.76	\$27.41	\$28.09
7/1/2025	\$27.71	\$28.38	\$29.08
7/1/2026	\$28.26	\$28.95	\$29.66

**ARTICLE 9: HOLIDAYS**

**Replace Section 1, paragraph 1 as follows:**

The following shall be recognized as paid Holidays and all employees shall be paid their regular tour of duty at straight time pay therefore: New Year's Day, Martin Luther King Day, President's Day, Patriot's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Christmas Day, irrespective of the day on which the holiday falls.

**Amend Section 2A Personal leave**

Add the following sentence:

Effective 7/1/24, after five years of service with the City, all employees shall be entitled to personal leave in accordance with Section 2. The updated personal leave accrual will occur on January 1<sup>st</sup> of the next calendar year.

*Note: no retro of accumulated time will be provided prior to 1/1/26.*

**ARTICLE 8: SICK AND BEREAVEMENT LEAVE**

**Amend Section 1A**

Add the following sentence:

Effective 7/1/24, after five years of service with the City, all employees shall be entitled to sick leave in accordance with Section 1. The updated sick leave accrual will adjust starting with the month after the 5-year anniversary.

*Note: no retro of accumulated time will be provided prior to 7/1/2024.*

**ARTICLE 23 TERMINATION**

**Update section with the following dates (three-year contract):**

July 1, 2024 to June 30, 2025

July 1, 2025 to June 30, 2026

July 1, 2026 to June 30, 2027

All articles pertaining to wages shall receive retro back to July 1, 2024.

All remaining terms and conditions of the current CBA not altered as per above shall remain in full force and effect. This agreement is subject to ratification by the Union and appropriation by the City Council.

Date: 1/30/24

Melinda E. Barrett  
Melinda E. Barrett, Mayor

James Marks  
James Marks, Teamsters Business Agent

APPROVED AS TO FORM

By: Katherine McNamara Feodoroff  
Katherine McNamara Feodoroff  
City Solicitor

7/1/2024

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
MOTOR EQUIPMENT REPAIRMAN (POLICE MECHANIC)	\$ 33.81	\$ 35.00	\$ 36.22	\$ -	\$ -
BUILDING MAINTENANCE CRAFTSMAN/CUSTODIAN	\$ 26.76	\$ 27.41	\$ 28.09	\$ -	\$ -
BUILDING CUSTODIAN	\$ 870.16	\$ 895.69	\$ 927.04	\$ 959.48	\$ 993.06
ANIMAL CONTROL OFFICER	\$ 922.98	\$ 953.57	\$ 985.23	\$ 1,017.99	\$ -
SR. ANIMAL CONTROL OFFICER	\$ 926.55	\$ 958.97	\$ 1,040.40	\$ 1,076.81	\$ -

7/1/2025

	DELETE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
MOTOR EQUIPMENT REPAIRMAN (POLICE MECHANIC)	\$ -34.49	\$ 35.70	\$ 36.94	\$ 38.24	\$ -	\$ -
BUILDING MAINTENANCE CRAFTSMAN/CUSTODIAN		\$ 27.71	\$ 28.38	\$ 29.08	\$ -	\$ -
BUILDING CUSTODIAN	\$ -887.57	\$ 913.61	\$ 945.58	\$ 978.67	\$ 1,012.92	\$ 1,048.38
ANIMAL CONTROL OFFICER	\$ -941.44	\$ 972.64	\$ 1,004.93	\$ 1,038.35	\$ 1,074.69	
SR. ANIMAL CONTROL OFFICER	\$ -945.08	\$ 978.15	\$ 1,061.21	\$ 1,098.35	\$ 1,136.79	

7/1/2026

	DELETE	DELETE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
MOTOR EQUIPMENT REPAIRMAN (POLICE MECHANIC)	\$ -35.18	\$ -36.41	\$ 37.68	\$ 39.00	\$ 40.37		
BUILDING MAINTENANCE CRAFTSMAN/CUSTODIAN			\$ 28.26	\$ 28.95	\$ 29.66		
BUILDING CUSTODIAN	\$ -905.32	\$ -931.88	\$ 964.49	\$ 998.25	\$ 1,033.18	\$ 1,069.34	\$ 1,106.77
ANIMAL CONTROL OFFICER	\$ -960.27	\$ -992.09	\$ 1,025.03	\$ 1,059.12	\$ 1,096.19	\$ 1,134.55	
SR. ANIMAL CONTROL OFFICER	\$ -963.98	\$ -997.72	\$ 1,082.43	\$ 1,120.32	\$ 1,159.53	\$ 1,200.11	

NEW SALARY SCALE

DROP 1ST STEP/ADD NEW STEP FY26

DROP STEP/ADD NEW STEP FY27

TO: MAYOR MELINDA BARRETT  
FROM: Denise McClanahan, HR Director  
DATE: 2/5/2026  
RE: COLLECTIVE BARGAINING FINANCIAL DISCLOSURE

NAME OF CONTRACT OR GROUP: Animal Control Officer, etc Group  
CONTRACT PERIOD: 7/1/2024 to 6/30/2027

% INCREASE FOR EACH CONTRACT YEAR:

Year 1 2 %      Year 2 2 %      Year 3 2 %

In FY 26, drop 1<sup>ST</sup> step, add new step at end

In FY 27, drop 1<sup>st</sup> step, add new step at end

Building Maintenance Craftsman/Custodian new scale effective 7/1/2024

Cost of COLAs (along with market adjustments) for each fiscal year of contract (amounts are approximate and include contractual step increases):

Year 1 – FY <u>26</u>	Cost amount	<u>\$26,277.16</u>
Year 2 – FY <u>27</u>	Cost amount	<u>\$16,285.36</u>
Year 3 – FY <u>28</u>	Cost amount	<u>\$15,487.16</u>

ADDITIONAL COSTS

(i.e., OT, Hazardous Duty, Professional Development, Clothing Allowance, Holiday Pay, etc.)

Approx longevity increase FY 25-26	<u>\$400</u>
Approx tool allowance FY 25-26	<u>\$800</u>
Approx clothing allowance FY 25-26	<u>\$500</u>

Total salary budget for this group was: \$259,608.96

Total salary budget at end of contract period: \$317,658.64

Percent increase in salary budget (includes contractual steps): 7% (3 years)

Are there any other groups or individuals that would be directly affected by this budget? No

What would be the effect? \_\_\_\_\_

Are there any other known implications to this contract? \_\_\_\_\_

Yes No

Funds are appropriated

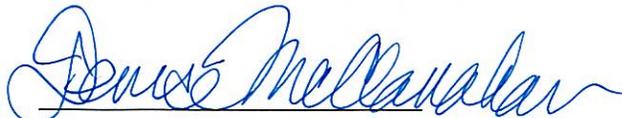
Where funds are located Account #: Click or tap here to enter text.

Yes No

Funds need appropriation by council

Where funds to come from Account #: Click or tap here to enter text.

\_\_\_\_\_  
Auditors Office

  
\_\_\_\_\_  
HR Dept

16.2

**Document 1-I**

Ordinance Re: Fire Prevention: Amend §150-2, §150-3(A), §150-7 (A), and §150-7(C)

IN CITY COUNCIL: February 10, 2026

**File 10 Days**

**9 YEAS, 0 NAYS, 2 ABSENT**

Attest: Kaitlin M. Wright  
Kaitlin M. Wright, CMC  
City Clerk

Feb 24<sup>th</sup>

5.2 File 10 days

MELINDA E. BARRETT  
MAYOR



CITY OF HAVERHILL  
MASSACHUSETTS

CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
MAYOR@HAVERHILLMA.GOV  
WWW.HAVERHILLMA.GOV

February 5, 2026

**To:** City Council President Timothy J. Jordan and Members of the Haverhill City Council

**From:** Mayor Melinda E. Barrett

**Re:** An Ordinance Relating to Fire Prevention

Dear Mr. President and Members of the City Council:

Attached please find an Ordinance Relating to Fire Prevention. The attached amends language in the existing Ordinance.

I recommend approval

Very truly yours,

Melinda E. Barrett  
Mayor



Mead, Talerman & Costa, LLC  
Attorneys at Law

30 Green Street  
Newburyport, MA 01950

978.463.7700  
www.mtclawyers.com

December 11, 2025

Melinda Barrett, Mayor  
City of Haverhill  
4 Summer Street,  
Room 204  
Haverhill, MA 01830

Re: Amendment to Ch. 150 of the City Ordinances

Dear Mayor Barrett:

Reference is made to the above captioned matter. In that connection, the Fire Department has requested that we draft an ordinance amendment to Ch. 150 of the City of Haverhill City Ordinances to reflect the following changes:

§ 150-2 to add language referencing c. 7 and c. 9 of the Massachusetts Building Code and referencing the Haverhill Fire Department Fire Prevention Rules and Regulations.

§ 150-3(A) to add language allowing the enforcement of Fire Prevention Rules and Regulations to be enforced through noncriminal disposition pursuant to G.L. c. 40, § 21D and G.L. c. 148A.

§ 150-7(A) by deleting the existing paragraph and replacing it with new paragraph outlining the procedure and requirements for fire watch details.

§ 150-7(C) by adding language regarding the timing of payment for fire watch details.

Attached to this correspondence for your review is a redline version of proposed changes, as well as a clean copy.

Sincerely,

/s/ Lisa L. Mead

Atty. Lisa Mead, City Solicitor

**New Bedford Office**  
227 Union Street  
New Bedford, MA 02740  
Phone 774.206.6857

**Millis Office**  
730 Main Street, Suite 1F  
Millis, MA 02054  
Phone 508.376.8400

Enclosure(s)

cc: City Council



Document

# CITY OF HAVERHILL

In Municipal Council

150-2  
150-3  
150-7

Ordered:

MUNICIPAL ORDINANCE

CHAPTER 150

## AN ORDINANCE RELATING TO FIRE PREVENTION

**BE IT ORDAINED** by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 150, Fire Prevention, as amended is hereby further amended as follows:

**By amending § 150-2 to read as follows:**

There is hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion the provisions of MGL c. 148 and the Board of Fire Prevention Regulations set forth in 527 CMR, chapter 7, Fire Resistant Materials and Construction, and Chapter 9, Fire Protection Systems, of the Massachusetts Building Code, set forth at 780 CMR and the same are hereby adopted and incorporated as fully as if set out at length herein, and, the provisions thereof shall be controlling within the limits of the City as the Fire Prevention Code. Such other provisions being set forth in the City of Haverhill Fire Prevention Rules and Regulations as promulgated and amended from time to time by the City of Haverhill Fire Chief.

**By amending § 150-3(A) to read as follows:**

- A. The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City, which is hereby established, and which shall be operated under the supervision of the Chief of the Fire Department. Without intending to limit the generality of the foregoing, the Fire Prevention Code for the City of Haverhill and penalties therefore may be enforced by the non-criminal disposition method in accordance with MGL c. 40, § 21D and MGL c. 148A.

**By amending § 150-7(A) to read as follows:**

- A. The Chief may require the use of a Fire Watch detail(s) at large public gatherings, fireworks demonstrations, fuel tank removals over 1,100 gallons, blasting, building demolition, hot works in occupied buildings, under certain conditions when fire protection systems are impaired, or any other event, gathering, or activity which the Chief determines such a detail is required. The Chief of the Fire Department shall determine how many firefighters and/or officers and what equipment, if any, shall comprise each detail. The City shall pay for its own

details for such City sponsored events and the contractor or sponsor of other such gatherings shall be responsible for payment for details for non-City sponsored events.

**By amending § 150-7(C) to read as follows:**

- C. Payment is due prior to the start of the detail with the exception of an emergency detail in which case payment is due within five (5) business days. Interest at the rate of 14% per annum will accrue on overdue balances from the due date until payment is made.

Approved as to Legality

*/s/ Lisa L. Mead*

\_\_\_\_\_  
City Solicitor

DRAFT

By amending § 150-2 to read as follows (inserted language emboldened and underlined):

§ 150-2 Adoption of standards by reference.

[Amended 1-9-1973 by Doc. 361-C/72; 7-10-2007 by Doc. 76; 12-2-2008 by Doc. 133]

There is hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion the provisions of MGL c. 148 and the Board of Fire Prevention Regulations set forth in 527 CMR, chapter 7, Fire Resistant Materials and Construction, and Chapter 9, Fire Protection Systems, of the Massachusetts Building Code, set forth at 780 CMR and the same are hereby adopted and incorporated as fully as if set out at length herein, and, the provisions thereof shall be controlling within the limits of the City as the Fire Prevention Code. Such other provisions being set forth in the City of Haverhill Fire Prevention Rules and Regulations as promulgated and amended from time to time by the City of Haverhill Fire Chief.

By amending § 150-3A to read as follows (inserted language emboldened and underlined):

- A. The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City, which is hereby established, and which shall be operated under the supervision of the Chief of the Fire Department. Without intending to limit the generality of the foregoing, the Fire Prevention Code for the City of Haverhill and penalties therefore may be enforced by the noncriminal disposition method in accordance with MGL c. 40, § 21D and MGL c. 148A.

By amending § 150-7A to read as follows (deleted language denoted with a strikethrough, inserted language emboldened and underlined):

- ~~A. The Chief of the Fire Department may require the use of fire watch details at firework demonstrations, fuel tank removals over 1,100 gallons, building demolitions, blasting's or any other events which the Chief determines require such a detail. The Chief of the Fire Department shall determine how many fire fighters and/or officers shall comprise each detail and/or equipment.~~
- A. The Chief may require the use of a Fire Watch detail(s) at large public gatherings, fireworks demonstrations, fuel tank removals over 1,100 gallons, blasting, building demolition, hot works in occupied buildings, under certain conditions when fire protection systems are impaired, or any other event, gathering, or activity which the Chief determines such a detail is required. The Chief of the Fire Department shall determine how many firefighters and/or officers and what equipment, if any, shall comprise each detail. The City shall pay for its own details for such City sponsored events and the contractor or sponsor of other such gatherings shall be responsible for payment for details for non-City sponsored events.

By amending § 150-7C to read as follows (deleted language denoted with a strikethrough, inserted language emboldened and underlined):

- C. ~~Payment is due within 45 days of service~~ **Payment is due prior to the start of the detail with the exception of an emergency detail in which case payment is due within five (5) business days.** Interest at the rate of 14% per annum will accrue on overdue balances from the due date until payment is made.



DOCUMENT

**CITY OF HAVERHILL**

In Municipal Council

ORDERED:

Municipal Ordinance

Chapter

An Ordinance Relating to Fire Prevention, that Chapter 150, § 2, 3(A), 7(A), and 7(C) of the Code Of the City Of Haverhill, is hereby amended.

Since this Ordinance exceeds in length eight octavo pages of ordinary book print, in lieu of advertising, it is published by the City Council in a municipal bulletin, placed on file in the City Clerk's Office, and posted on the municipal bulletin in City Hall.

PLACED ON FILE for at least 10 days

Attest:

  
Kaitlin M. Wright, CMC, City Clerk

## Kaitlin Wright

---

**From:** Kaitlin Wright  
**Sent:** Friday, February 20, 2026 11:02 AM  
**To:** HGLegals@hgazette.com  
**Cc:** Natalia Hernandez; Kaitlin Wright  
**Subject:** Haverhill Ad - Fire Prevention Ordn  
**Attachments:** Ad- Fire Prevention Ordinance.pdf

Good morning Christa,

Please run the attached legal ad one (1) time in the Eagle Tribune on Wednesday February 25<sup>th</sup>.

Thank you! Any questions, I am available at (978) 374-2312.

All my best,

Kaitlin

**Kaitlin M. Wright, CMC**

*City Clerk*

4 Summer Street, Room 118

Office: (978) 374-2312

Fax: (978) 373-8490

[kwright@haverhillma.gov](mailto:kwright@haverhillma.gov)



VERIFY YOUR VOTER STATUS HERE: <https://www.sec.state.ma.us/ovr/>

STATE PRIMARY ELECTION	VOTER REGISTRATION DEADLINE	EARLY VOTING PERIOD	LAST DAY TO REQUEST VOTE BY MAIL BALLOT
September 1, 2026	August 22, 2026	August 22 – August 28, 2026	August 25, 2026



14.3

**Document #10D**

Ordinance re: Vehicles and Traffic ;

Amend Ch 240, be further amended by DELETING the following  
to § 240-85 schedule B: Parking Restriction and Prohibitions:

LOCATION	REGULATION	HOURS/DAYS
2: Seventh Av	No Parking (except for 1 24-hr Handicap parking space)	24-hrs

**IN CITY COUNCIL: February 3, 2026**

**FILE 10 DAYS**

14.1



# Haverhill

Robert E. Ward, DPW Director  
Phone: 978-374-2382 Fax: 978-521-4083  
rward@haverhillma.gov

January 27, 2026

**MEMO TO: CITY COUNCIL PRESIDENT TIMOTHY JORDAN AND  
MEMBERS OF THE CITY COUNCIL**

Subject: *21 Seventh Avenue – HPS-26-3 - Delete Handicap Parking*

As requested, see attached ordinance for deleting handicap spot at the subject location.

Please contact me if you have any questions.

Sincerely,

Robert E. Ward  
DPW Director

JAN 30 AM 8:14  
HAVERHILL CITY CLERK

C: Mayor Barrett, Lt. Lynch, K. Wright

File 10 days

Feb 19th

**AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC**

**BE IT ORDAINED** by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, §85, Schedule B: Parking Restrictions and Prohibitions, as amended, is hereby further amended by **DELETING** the following:

<b>Seventh Ave:</b>	<b>No Parking</b>	<b>24 hours</b>
<b>In front of #21</b>	<b>(except for 1 24-hour parking space)</b>	

APPROVED AS TO LEGALITY

\_\_\_\_\_  
City Solicitor

Thank you for placing your order with us.

From North of Boston <noreply@wave2adportal.com>  
Date Fri 1/30/2026 10:31 AM  
To Natalia Hernandez <NHernandez@HaverhillMa.gov>

 1 attachment (16 KB)  
W01413560.pdf;

Warning! External Email. Exercise caution when opening attachments or clicking on any links.

**THANK YOU for your notice submission!**

This is your confirmation that your order has been submitted. Below are the details of your transaction. Please save this confirmation for your records.

<b>Job Details</b> Order Number: <b>W0141356</b> Business Type: All Other Public Notices Notice Size: Public Notices Notice Estimate: \$57.69 Referral Code: <b>21 Seventh Ave Handicap Parking</b>	<b>Schedule for notice number W01413560</b>  <b>Thu Feb 5, 2026</b> <b>Haverhill Gazette Public All Zones</b> <b>Notices</b> <table border="1"><tr><td colspan="3"><b>AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC</b></td></tr><tr><td colspan="3">BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, §85, Schedule B: Parking Restrictions and Prohibitions, as amended, is hereby further amended by DELETING the following:</td></tr><tr><td>Seventh Ave:</td><td>No Parking</td><td>24 hours</td></tr><tr><td>In front of #21</td><td>(except for 1 24-hour parking space)</td><td></td></tr><tr><td colspan="3">APPROVED AS TO LEGALITY</td></tr><tr><td colspan="3">City Solicitor</td></tr><tr><td colspan="3">HG - Publication Dates</td></tr></table>	<b>AN ORDINANCE RELATING TO VEHICLES AND TRAFFIC</b>			BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, §85, Schedule B: Parking Restrictions and Prohibitions, as amended, is hereby further amended by DELETING the following:			Seventh Ave:	No Parking	24 hours	In front of #21	(except for 1 24-hour parking space)		APPROVED AS TO LEGALITY			City Solicitor			HG - Publication Dates		
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In front of #21	(except for 1 24-hour parking space)																					
APPROVED AS TO LEGALITY																						
City Solicitor																						
HG - Publication Dates																						
<b>Account Details</b> Haverhill Clerk 4 SUMMER ST STE 118 HAVERHILL, MA 01830 978-374-2312 cityclerk@cityofhaverhill.com HAVERHILL CITY CLERK																						

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*This is an automated message, please do not reply to this e-mail. If you have any questions or concerns you may contact us toll-free at 800-681-6248.*

**CITY COUNCIL**

**Timothy J. Jordan, President**  
**John A. Michitson, Vice President**  
**Thomas J. Sullivan**  
**Colin F. LePage**  
**Melissa J. Lewandowski**  
**Catherine P. Rogers**  
**Shaun P. Toohey**  
**Michael S. McGonagle**  
**Daniel R. Diodati**  
**Devan Ferreira**  
**Ralph T. Basiliere**



CITY HALL, ROOM 204  
4 SUMMER STREET  
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FACSIMILE: 978-374-2329  
[WWW.CITYOFHAVERHILL.GOV](http://WWW.CITYOFHAVERHILL.GOV)  
[CITYCOUNCIL@HAVERHILLMA.GOV](mailto:CITYCOUNCIL@HAVERHILLMA.GOV)

**CITY OF HAVERHILL**

HAVERHILL, MASSACHUSETTS 01830-5843

**DOCUMENTS REFERRED TO COMMITTEE STUDY**

103-HH	Motion by Councilor Michitson to send the <i>Home Rule Petition – An act establishing guidelines for the installation of and use of Electric vehicle charging stations in the City of Haverhill</i> , to committee in order to coordinate with condo associations.	A&F	12/23/23
40	Motion by Councilor Lewandowski to send updated Cannabis Social Equity Best Practices for the Cannabis Control Commission to A&F for further review.	A&F	4/2/24
12-S	Motion by Councilor Ferreira to send the City’s Swimming Ordinance Chapter 193 Article III and related items at Lake Saltonstall, aka Plug Pond to NRPP for further discussion.	NRPP	6/18/24
33-F	Motion by Councilor Basiliere to send resident winter parking concerns and offer suggestions for improvements	Public Health Safety	3/11/25
33-L	Motion by Councilor Lewandowski to send Bill 3360 (vacancy tax on residential properties) for review and also further review of MVSP (Massachusetts Vacant Storefront Program)	Planning & Development	6/24/25
33-P	Motion by Councilor Ferreira to send for review as to what our local strategies are for traffic and safety as well as looking into these intersections for public safety (Amesbury Line Road/Merrimac Road)	Public Health Safety	9/16/25
94-B	Motion by Councilor Ferreira to look at updating the standards of Ch. 250 article VI of the Haverhill Zoning Code regarding water use restrictions established in 2016	Planning & Development	9/16/25
33-T	Motion by Councilor Lewandowski to establish a working group previously discussed implementing a control management plan for the vegetation in Riverside Park/Edible Avenue along the river	NRPP	9/30/25
85-E	Motion by Councilor Michitson to send Judi Barrett’s progress report on the fiscal impact analysis prepared for Council for further discussion	Planning & Development	12/9/25
1-F	Motion by Councilor Lewandowski to send for discussion relative to establishing or formalizing an ordinance regarding water conservation program	Planning & Development	1/27/26

FEB 20 4:48:27  
HAVERHILL, MA