



# CITY OF HAVERHILL CITY COUNCIL AGENDA

Tuesday, February 2, 2021 at 7:00 PM  
Virtual Meeting

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Due to the ongoing COVID-19 Pandemic, Governor Baker issued an Emergency Order temporarily suspending certain provisions of the Open Meeting Law, M.G.L. c. 30A sec. 20. Public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means."

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 Fiorentini requests to give Coronavirus (COVID-19) crisis update along with Councillor Mary Ellen Daly O'Brien
6. COMMUNICATIONS FROM COUNCILLORS TO INTRODUCE AN INDIVIDUAL(S) TO ADDRESS THE COUNCIL:
  - 6.1. Communication from Councillor Colin Lepage requesting to introduce Rocky Morrison of the *Clean River Project* to give a progress report on their clean-up efforts of the Merrimack River
7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28
8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:
9. UTILITY HEARING(S) AND RELATED ORDER(S):
10. HEARINGS AND RELATED ORDERS:
  - 10.1. **Document 116/2020:** Petition for Special Permit from Timothy Woodland for applicant Washington 149 LLC to build 5 residential units at 149 Washington st  
*Favorable conditional recommendation from Planning Board & Planning Director*
  - 10.2. **Document 117/2020:** Petition for a Watershed Special Permit from Attorney Donald Borenstein for applicant D & D Realty Trust for 11 single family homes at 0 Brandy Brow Road  
*Favorable conditional recommendation from Planning Board and Planning Director*

*Request from Attorney Donald Borenstein for applicant to **continue hearing** to the meeting of March 2, 2021*



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**11. APPOINTMENTS:**

11.1. **Confirming Appointments:**

11.2. **Non-Confirming Appointments:**

11.2.1. ***Mayor's Task Force on Public Health:***

Dr. John Maddox, MD, Haverhill Public Schools, District Physician

Katie Vozeolas BSN RN NCSN, Haverhill Public Schools, Director of Health  
& Nursing Services

Adrienne Gladden-Young, 63 Juniper Wood Drive, Haverhill

*All expire December 31 2021*

11.2.2 ***Plug Pond Advisory Committee :***

Maria Betances, 54 Thomas av, Haverhill

Victoria Torres, 162 Grove st, Haverhill *Both expire January 22, 2023*

11.3. **Resignations**

**12. PETITIONS:**

12.1. **Applications Handicap Parking Sign**

12.2. **Amusement/Event Applications:**

12.3. **Tag Days**

12.4. **One Day Liquor License**

12.5. **Annual License Renewals:**

12.5.1. **Hawker Peddlers License 2021 - Fixed location**

12.5.2. **Coin-Op License Renewals 2021**

12.5.3. **Drainlayer License Renewals for 2021 - with City Engineer approval:**

12.5.3.1. Daniel Briscoe

12.5.3.2. Paul D Busby

12.5.3.3. David Deloury

12.5.3.4. Thomas Hodgson

12.5.3.5. Scott Karpinski

12.5.3.6. Fred Ramey

12.5.3.7. John Russo

12.5.3.8. Michael McCarthy

12.5.4. **Christmas Tree Vendor**

12.5.5. **Taxi Driver Licenses for 2020**

12.5.6. **Taxi License/ Limo/Livery:**

12.5.7. **Junk Dealer License**

12.5.8. **Pool Tables**

12.5.9. **Sunday Pool**

12.5.10. **Bowling**

12.5.11. **Sunday Bowling**

12.5.12. **Buy & Sell Second Hand Articles**



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- |          |  |
|----------|--|
| 12.5.13. | <b>Buy &amp; Sell Second Hand Clothing</b> |
| 12.5.14. | <b>Pawnbroker license</b>                  |
| 12.5.15. | <b>Fortune Teller</b>                      |
| 12.5.16. | <b>Buy &amp; Sell Old Gold</b>             |
| 12.5.17. | <b>Roller Skating Rink</b>                 |
| 12.5.18. | <b>Sunday Skating</b>                      |
| 12.5.19. | <b>Exterior Vending Machines</b>           |
| 12.5.20. | <b>Limousine/Livery License/Chair Cars</b> |

**13. MOTIONS AND ORDERS**

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

**15. COMMUNICATIONS FROM COUNCILLORS:**

- 15.1. Communication from Council President Barrett requesting to have the Parking Commission review the parking spaces in the *Goecke Parking Garage* resulting from the closure of the VA clinic on Merrimack st
- 15.2. Communication from Council Vice President LePage and President Barrett requesting an update from the Mayor on the proposed mixed-use development project at 14 Stevens st
- 15.3. Communication from Councillor Macek requesting a discussion on parking space requirements per zoning regulations throughout the City
- 15.4. Communication from Councillor Michitson requesting to address House Bill 663 "An Act protecting internet access during the COVID-19 pandemic"

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

- 16.1. Document 3-C: Ordinance re: Parking – Add Handicap Parking Space 103 Summer st
- 16.2. Document 3-D: Ordinance re: Parking – Add Handicap Space 58 Webster st  
*Both filed January 27 2021*
- 16.3. Document 4-M: Communication from Councillor Joseph Bevilacqua requesting to recognize the COVID Assistance Volunteer Grocery Shopping Program
- 16.4. Document 4-N: Communication from Councillor Joseph Bevilacqua requesting a discussion regarding the recently enacted 2-hour Sewerage Notification Bill and its benefit to Haverhill residents and the Merrimack River  
*Both postponed from January 26 2021 meeting*



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**17. RESOLUTIONS AND PROCLAMATIONS:**

17.1. Proclamation – *Black History Month* – February 2021

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

**19. DOCUMENTS REFERRED TO COMMITTEE STUDY**

**20. LONG TERM MATTERS STUDY LIST**

**21. ADJOURN**

JAMES J. FIORENTINI  
MAYOR



**CITY OF HAVERHILL  
MASSACHUSETTS**

511  
CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
MAYOR@CITYOFHAVERHILL.COM  
WWW.CI.HAVERHILL.MA.US

January 29, 2021

City Council President Melinda Barrett and Members of the Haverhill City Council

RE: Communication from the Mayor regarding Coronavirus

Dear Madame President and Members of the Haverhill City Council:

I am requesting to address the City Council at their meeting on Tuesday, February 2<sup>nd</sup>, to give an update on Haverhill's efforts regarding the Coronavirus (COVID-19) crisis.

Very truly yours,

**James J. Fiorentini**  
Mayor

JJF/lyf

**CITY COUNCIL**

**MELINDA E. BARRETT**

***PRESIDENT***

**COLIN F. LePAGE**

***VICE PRESIDENT***

**JOSEPH J. BEVILACQUA**

**JOHN A. MICHITSON**

**THOMAS J. SULLIVAN**

**TIMOTHY J. JORDAN**

**MICHAEL S. MCGONAGLE**

**MARY ELLEN DALY O'BRIEN**

**WILLIAM J. MACEK**



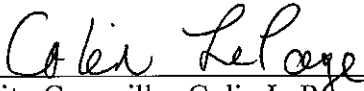
**CITY OF HAVERHILL**  
**HAVERHILL, MASSACHUSETTS 01830-5843**

611  
CITY HALL, ROOM 204  
4 SUMMER STREET  
TELEPHONE: 978 374-2328  
FACSIMILE: 978 374-2329  
www.cityofhaverhill.com  
citycncl@cityofhaverhill.com

January 29, 2021

TO: President and Members of the City Council:

Councillor Colin LePage requests to introduce Rocky Morrison of the *Clean River Project* to give a progress report on their clean-up efforts of the Merrimack River.

  
City Councillor Colin LePage *CL*

Hearing February 2 2021

## City Council Special Permit

CCSP-20-3 116

Status: Active

Submitted: Sep 09, 2020

## Applicant



Timothy Woodland

978-604-7512

@ whwroofing@gmail.com

## Location

149 WASHINGTON ST  
Haverhill, MA 018321011  
2020 DEC 10 PM 01:47 PM

## Important: Please Read Before Starting Your Application

## Applicant Information

## What is Your Role in This Process?

Developer

## Applicant Business/Firm Phone

978-604-7512

## Applicant Business/Firm City

Billerica

## Applicant Business/Firm Zip

01821

## Applicant Business/Firm Name

Washington 149 llc

## Applicant Business/Firm Address

83 Alexander Road unit 3

## Applicant Business/Firm State

MA

## Property Information

## Proposed Housing Plan Name

Washington 149 LLC

## How Long Owned by Current Owner?

Closing on property within the week

## Lot Dimension(s)

62.9' x 163'

## Zoning District Where Property Located

CG - Commercial General

## Proposed Street Name(s)

Washington Street

## Type of Dwelling(s) Planned in Project

Multi-Family

## Number of Lots Involved

1

## Registry Plat Number, Block &amp; Lot

500-226-6-1, 500-226-6-2, 500-226-6-3

## Deed Recorded in Essex South Registry: Block Number

22586, 21140, 21749

## Deed Recorded in Essex South Registry: Page

143, 265, 2

## Does the Property Have Multiple Lots?

--

## IF YES, How Many Lots?

--

## Thoroughly Describe the Reason(s) for thre Special Permit

Petitioner seeks a variance from the City of Haverhill Parking Code Regulations (Section 6.1.3 of the Haverhill Zoning Ordinance) that calls for Multifamily Dwelling's to have 1.5 parking spaces per unit. Petitioner is proposing 5 residential units, thus under the City of Haverhill Zoning Ordinance the

## IF YES, What Is/Are the Map, Block Lot (MBL) Number(s)?

IN CITY COUNCIL: December 15 2020

REFER TO PLANNING BOARD and

COUNCIL HEARING BE HELD FEBRUARY 2 2020

Attest:

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

116 Petitioner is required to have 7.5 parking spaces for the Building. Due to the layout of the Property, the Petitioner can only provide for 7 parking spaces, thus requiring a variance for said shortfall.

**Property Description**

mixed use wood frame 2 story building

**Current Property Use**

Other

**IF OTHER USE, Please Describe**

mixed use

**TOTAL Number of Units Planned**

5

**TOTAL Number of Parking Spaces Planned**

7

**Planned Lot Use****Number of Buildings Planned for Lot**

1

**IF OTHER ALTERATIONS, Please Describe**

n/a

**Number of Existing Buildings on Lot**

1

**Extent of Proposed Alterations**

Renovation

**Size of Existing Building(s) on Lot**

38' x 60'

**Lot Plat Number, Block, Lot**

500-226-6-1, 500-226-6-2, 500-226-6-3

**Types of Units Planned on Lot**

Rental

**Size of Proposed Building(s)**

38' x 60'

**Number of Families to be Accommodated**

5

**Number of Units Planned on Lot**

5

**Lot Number**

--

**Lot Dimensions**

63' x 163'

**Lot Dimensions**

63' x 163'

**Special Circumstances****Building Coverage**

--

**Dimensional Variance**

--

**Front Yard Setback**

--

**Side Yard Setback**

--

**Rear Yard Setback**

--

**Lot Frontage**

--

**Lot Depth**

--

**Lot Area**

--

**Building Height****Floor Area Ratio**



--  
**Open Space**

--  
**Parking**

--  
**Sign Size**

--  
**Use**

--  
**Other**

--  
true

**Hearing Waiver**

**Agrees**

Yes

**Agreement & Signature**

**Agrees**

true

**PLEASE READ**

**Office Use Only**

**City Council Decision**

**City Council Hearing Date**

**Reason for Council's Decision**

**City Council Members Absent**

**City Council Members Present**

**Continuance Meeting Date**

**Also Present**

**City Councilor Who Seconded Motion**

**City Councilor Who Made Motion**

**City Councilors Who Voted Against**

**City Councilors Who Abstained**

**Continuance Motion Decision**

**Who Submitted Continuance Request?**

**City Councilors Who Voted in Favor**

116 Number of 12"x18" Mylar Copies

--

Number of 24"x36" Mylar Copies

--

Appeal Expiration Date

--

Number of 18"x24" Mylar Copies

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## Attachments (7)

pdf **Property Owner's Permission**

Sep 09, 2020

pages **Written Summary of Project**

Sep 09, 2020

pdf **Recorded Decision Sheet from Planning Board**

Sep 09, 2020

pdf **Copy of Approved Site Plan**

Sep 09, 2020

pdf **Certified Plot Plan**

Sep 09, 2020

xlsx **Abutters 149 Washington St.xlsx**

Dec 10, 2020

pdf **Mailing Labels 149 Washington St.pdf**

Dec 10, 2020

## Timeline

☐ **Special Permit Filing Fee**

Status: Paid September 24th 2020, 8:59 am

☐ **Building Inspector Review**

Status: Completed December 1st 2020, 3:18 pm

Assignee: Tom Bridgewater

**Tom Bridgewater** September 24th 2020, 11:44:30 am

Need BOA approval first

**Timothy Woodland** October 22nd 2020, 6:20:31 am

Hey Tom I wanted to follow up to see what the agenda for the city council meeting was? Want to make sure I'm prepared with my due diligence on the parking options for my building.

**Tom Bridgewater** December 1st 2020, 3:18:34 pm

BOA Approved on 10-21-20

☐ **Planning Director Review**

Status: Completed December 10th 2020, 11:40 am

Assignee: William Pillsbury


**William Pillsbury** December 10th 2020, 11:40:26 am

ok to schedule hearing

☐ **Assessor for Abutter's List**

Status: Completed December 10th 2020, 12:27 pm

Assignee: Christine Webb

 **Christine Webb** December 10th 2020, 12:27:29 pm  
Please see the attached abutters and mailing lists for parcel 500-226-6-1 149 Washington St

☐ **City Clerk Review - Hearing Dates Set**

**Status:** In Progress

**Assignee:** Maria Bevilacqua

**LINDA KOUTOULAS** December 10th 2020, 1:13:21 pm  
Planning Board Jan 13th

☐ **Conservation Department Review**

**Status:** Pending

**Assignee:** Robert Moore

☐ **DPW Review**

**Status:** Pending

**Assignee:** Mike Stankovich

☐ **Engineering Department Review**

**Status:** Pending

**Assignee:** John Pettis

☐ **Fire1 Department Review**

**Status:** Pending

**Assignee:** Eric Tarpy

☐ **Fire2 Department Review**

**Status:** Pending

☐ **Health Department Review**

**Status:** Pending

**Assignee:** Bonnie Dufresne

☐ **Police Department Review**

**Status:** Pending

**Assignee:** Robert Pistone

☐ **School Department Review**

**Status:** Pending

**Assignee:** Margaret Marotta

☐ **Storm Water Review**

**Status:** Pending

**Assignee:** Robert Ward

☐ **Wastewater Review**

**Status:** Pending

**Assignee:** Robert Ward

☐ **Water Department Review**

**Status:** Pending

**Assignee:** Robert Ward

☐ **First Ad Placement**

12/10/2020

**Status:** Pending

**Assignee:** Maria Bevilacqua

☐ **Placed on Agenda**

**Status:** Pending

**Assignee:** Maria Bevilacqua

☐ **Abutter Notification**

**Status:** Pending

**Assignee:** Maria Bevilacqua

☐ **Second Ad Placement**

**Status:** Pending

**Assignee:** Maria Bevilacqua

☐ **City Councilor A Review**

**Status:** Pending

☐ **City Councilor B Review**

**Status:** Pending

☐ **City Councilor C Review**

**Status:** Pending

☐ **City Councilor D Review**

**Status:** Pending

☐ **City Councilor E Review**

**Status:** Pending

☐ **City Councilor F Review**

**Status:** Pending

☐ **City Councilor G Review**

**Status:** Pending

☐ **City Councilor H Review**

**Status:** Pending

☐ **City Councilor I Review**

**Status:** Pending

☐ **City Council Meeting**

**Status:** Pending

**Assignee:** Maria Bevilacqua

☐ **Meeting Minutes & Decision Filed w/City Clerk**

**Status:** Pending

**Assignee:** Barbara Arthur

September 9, 2020

City of Haverhill  
ATTN: Board of Appeals  
Room 201 – 4 Summer Street  
Haverhill, MA 01830

Re: 149-153 Washington Street, Haverhill, MA 01830  
Parcel ID(s): 500-226-6-1, 500-226-6-2, 500-226-6-3

Sir/Madam:

Please accept this correspondence on behalf of Washington 149, LLC, a Massachusetts Limited Liability Company managed by Mr. Timothy Woodland (hereafter “Petitioner”). Per the City of Haverhill Zoning Board of Appeals (hereafter “Board”) regulations, this correspondence is being submitted as a brief intended to outline what the Petitioner is seeking relative to the property known and numbered as 149-153 Washington Street, Haverhill, MA 01830 (hereafter “Property”).

The Property consists of one pre-existing building structure (the “Building”) that was built around the year 1900. In 2003, a former owner of the property converted the building into a condominium known as the “149 Washington Street Condominium”. The Property, more specifically the Building situated thereon, is now classified as a Mixed Use Building containing three condominium (3) units. The condominium units are comprised as follows:

- UNIT ONE (First Floor)
  - Known and numbered as 149-153 Washington Street, Unit 1, Haverhill, MA 01830; a/k/a Unit 1, 149 Washington Street, Haverhill, MA 01830.
  - Parcel ID: 500-226-6-1
  - Current Use: Commercial Condominium Unit (non-residential, commercial condominium).
- UNIT TWO (Second Floor)
  - Known and numbered as 149-153 Washington Street, Unit 1, Haverhill, MA 01830; a/k/a Unit 2, 151 Washington Street, Haverhill, MA 01830.

- Parcel ID: 500-226-6-2
- Current Use: Residential Condominium Unit (residential condominium dwelling unit)
- UNIT THREE (Second Floor)
  - Known and numbered as 149-153 Washington Street, Unit 3, Haverhill, MA 01830; a/k/a Unit 3, 151 Washington Street, Haverhill, MA 01830.
  - Parcel ID: 500-226-6-3
  - Current Use: Residential Condominium Unit (residential condominium dwelling unit)

A plan entitled “149 Washington Street Condominium in Haverhill, MA”, which plan was recorded at the Essex South District Registry of Deeds in Book 369, at Page 1, is attached hereto and incorporated herein by reference as “Exhibit A”, for purposes of showing the current layout of the Building as above referenced.

The Petitioner, who has a signed Purchase and Sales Agreement to acquire all three of the above referenced condominium units, is positioning himself to become the sole owner of the Property/Building. Thus, as sole owner, the Petitioner will seek, pending appropriate approvals, to de-convert the condominium and transform the Building into five (5) residential units (the top two units will remain the same, and the bottom unit will be transformed into three additional residential dwelling units, per the plans submitted herewith). The Property is located in the CG Zone, and thus the Petitioner is seeking the following relief from this Board:

(1) Variance – Parking Relief

- a. Petitioner seeks a variance from the City of Haverhill Parking Code Regulations (*Section 6.1.3 of the Haverhill Zoning Ordinance*) that calls for Multifamily Dwelling’s to have 1.5 parking spaces per unit. Petitioner is proposing 5 residential units, thus under the City of Haverhill Zoning Ordinance the Petitioner is required to have 7.5 parking spaces for the Building. Due to the layout of the Property, the Petitioner can only provide for 7 parking spaces, thus requiring a variance for said shortfall.

(2) Variance – Relief from Dimensional and Density Regulations and Change of Use.

- a. Petitioner seeks a variance from dimensional and density regulations (*Section 4.1.2 of the Haverhill Zoning Ordinance*). This Property, located in the CG (Commercial General) Zone, requires the following:

		Minimum Lot Area (square feet)	Minimum Lot Area Required Per Dwelling Unit (square feet)	Minimum Lot Frontage <sup>9</sup> (feet)	Minimum Lot Depth (feet)	Front <sup>4&amp;7</sup> (feet)	Side <sup>4&amp;10</sup> (feet)	Rear <sup>4</sup> (feet)	Maximum Height <sup>4</sup> (feet)	Maximum Stories	Maximum Building Coverage (percent)	Maximum Floor Area Ratio (FAR)	Minimum Open Space (percent)
CG	All other multifamily dwellings <sup>11,13</sup>	20,000	NA	100	100	None	20	20	74	6	None	2.0	None
	First dwelling unit	2,000	2,000	100	100	None	20	20	None	None	None	2.0	None
	Each additional dwelling unit	1,000	1,000	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	Any other permitted use <sup>12</sup>	5,000	NA	50	100	None	None	20	40	3	None	2.0	None

*The Property does not meet the minimum lot area requirement (currently and/or proposed – thus variance required); The Property/Building does meet the minimum lot area required per dwelling unit (currently and proposed); The Property does not meet the minimum lot frontage requirement (currently and/or proposed – thus variance required); The CG Zone does not require a front setback; The Property does not meet the side setback requirement (currently and/or proposed – thus variance required); The Property/Building does meet the rear setback requirement (currently and proposed); The Property/Building does meet the maximum height requirement (currently and proposed); The Property/Building does meet the maximum story requirement (currently and proposed); The CG Zone does not have a limit on maximum building coverage; The Property/Building does meet the maximum floor area ratio requirement (currently and proposed); and The CG Zone does not have a requirement on minimum open space.*

(3) Special Permit – Change of Use to a Multifamily Dwelling and to Alter

and/or Change a Non-Conforming Structure.

- a. As required for nonconforming uses and structures, under *Section 5.2 of the Haverhill Zoning Ordinance*, the Petitioner seeks a special permit to change the use of the property from a Mixed-Use Building to a Multifamily Dwelling.
- b. As required for nonconforming uses and structures, under *Section 5.3 of the Haverhill Zoning Ordinance*, the Petitioner seeks a special permit to alter and/or change a nonconforming structure.

**Variance - Parking Relief.**

Petitioner seeks a variance from the City of Haverhill Parking Code Regulations (*Section 6.1.3 of the Haverhill Zoning Ordinance*) that require a multifamily dwelling to attribute 1.5 spaces per proposed unit. Since the Petitioner hereunder is seeking to have his Building consist of 5 residential dwelling units, he is required under the above cited ordinance to provide 7.5

parking spaces for his new proposal. Due to the layout of the Property, the Petitioner is only able to fit seven (7) parking spaces. Thus, the Petitioner seeks relief from his shortfall of one (1) parking space on the Property, and asks this Board to allow him to proceed with his proposal of a Multifamily Dwelling consisting of 5 residential units and having seven (7) parking spots on the Property.

The Petitioner understands the need for adequate parking at the Property, and seeks this variance with the full understanding of the need to provide rental housing for those looking to live in Downtown Haverhill. Thus, the Petitioner's request for parking relief is made after having considered the following:

- (1) The Property is approximately two-hundred and fifty feet from the MBTA Haverhill Station.
- (2) The Property is in close proximity (approximately .6 Miles) from the MVRTA Washington Square Transit Station.
- (3) The Property is across the street from the 150 Washington Street Garage.
- (4) The Property is located in close proximity (approximately .2 miles) from the 53 Granite Street Garage.
- (5) The Property fronts Washington Street and has on-street parking;
- (6) The Petitioner anticipates that the units will be attractive to those persons who might not necessarily require an automobile, and if they do, such vehicles would likely be limited to one per rental unit (thus each rental unit would have attributed to it one parking space and the additional two spaces would be reserved for visitors).
- (7) The proximate location to eateries and miscellaneous shopping make the Property ideal for those who prefer to walk to those places instead of taking a vehicle. For those renters who prefer to enjoy entertainment and dining within walking proximity to their home, this Property will be ideal.
- (8) The Property has sufficient Lot Area to accommodate five (5) dwelling units, but the dimensions of the said Property, with how the Building is situated thereon, does not allow for any more than seven (7) parking spaces.

For the above stated reasons, the Petitioner asks that this Board grant relief as to the City of Haverhill Parking Code Regulations (*Section 6.1.3 of the Haverhill Zoning Ordinance*) and approve his request to have five (5) residential dwelling units in the Building and provide seven (7) on Property parking spaces (servicing the units therein).

**Variance – Change of Use and Relief from Dimensional and Density Regulations.**

The Building that currently sits on the Property was built around 1900. Thus, the Property and Building have been in violation of the dimensional and density regulations as cited in Section 4.1.2 of the Haverhill Zoning Ordinance since the said ordinance was adopted. As detailed above, the Property does not meet the minimum lot area requirement (currently and/or



under the Petitioner's proposal), it does not meet the minimum lot frontage requirement (currently and/or under the Petitioner's proposal) and lastly, the Property/Building does not meet the side setback requirement (currently and/or under the Petitioner's proposal). In accordance with the plans having been submitted herewith, and as further shown below, the Petitioner's proposal does nothing to increase the non-conformity of any of the above stated violations. In sum, the Petitioner would not be altering the Building structure other than the interior alterations as described in said plans (converting the first floor into three additional residential dwelling units). Here is a chart of the existing and proposed dimensional and density calculations:

DIMENSIONAL & DENSITY CALCULATIONS			
ZONE: CG (COMMERCIAL GENERAL) USE: MULTI FAMILY			
ITEM	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	20,000 S.F.	9,431 S.F.	9,431 S.F.
MINIMUM LOT AREA PER DWELLING UNIT	2000 SF/FIRST DU 1000 SF/EACH NEXT DU	2 DU 2000 SF/ FIRST DU 7431 SF/NEXT DU	5 DU 2000 SF/ FIRST DU 187.75 SF/NEXT DU
MIN LOT FRONTAGE	100'	82.90'	82.90'
MIN LOT DEPTH	100'	163'±	163'±
FRONT SETBACK	NONE	NONE	NONE
SIDE SETBACK	20'	19.38'/17.87'/6.42'/4.83'	19.38'/17.87'/6.42'/4.83'
REAR SETBACK	20'	105'/124'	105'/124'
MAX. HEIGHT	74'	30'±	30'±
MAX. STORIES	6	2	2
MAX. BUILDING COVERAGE	NONE	2227 S.F.=23.6%	2227 S.F.=23.6%
MAX. FLOOR AREA (FAR)	2.0	0.472:1	0.472:1
OPEN SPACE	NONE	2276 S.F. =24.1%	2276 S.F. =24.1%
PARKING	5 UNITS X 1.5 SP/UNIT =7.5 SP	7	7

Since the Petitioner will not be increasing any non-conformity that that presently exists on the Property and/or with the Building, he asks this board to approve his request for relief from the dimensional and density regulations of Section 4.1.2 of the Haverhill Zoning Ordinance and allow for the change of use to a Multifamily Dwelling.

**Special Permit - Change of Use to a Multifamily Dwelling and to Alter and/or Change a Non-Conforming Structure.**

The Petitioner seeks a special permit to change the use of the Property/Building in accordance with Section 5.2 of the Haverhill Zoning Ordinance. The Property, more specifically the Building situated thereon, is currently used a Mixed Use Building, with a commercial, non-residential condominium unit on the first floor and two residential dwelling units on the second floor. The Petitioner seeks to change the non-residential (commercial) use on the first floor and turn that entire area (the existing Unit 1) into three (3) residential dwelling units. This change would result in a less detrimental nonconforming use, as the additional residential units would be in accordance with other properties in the surrounding area (the next door property, 155 Washington Street, Haverhill, MA 01840, consists of one building housing within it six residential condominium units). In sum, the removal of the commercial use from the first floor unit would make the Property/Building solely residential, and such a change would not be detrimental to the neighborhood.

The Petitioner seeks a special permit to change the nonconforming structure of the Property/Building in accordance with Section 5.3 of the Haverhill Zoning Ordinance. The

Petitioner seeks to alter and/or change the nonconforming structure so as to eliminate the non-residential (commercial) use on the first floor and turn that entire area (the existing Unit 1) into three (3) residential dwelling units. As mentioned above, the structural alteration/change would not be more detrimental to the existing neighborhood, as there already exists buildings/properties that are solely residential in this neighborhood. The Petitioner's request for relief hereunder is further in accordance with 5.3.1 of the Haverhill Zoning Ordinance, as a request for a permissible change that would allow for the building to be structurally altered to augment the existing residential component (upon the termination of the commercial component, as detailed above).

In sum, the Petitioner hereunder is seeking relief, via variance, from Section 6.1.3 of the Haverhill Zoning Ordinance, via variance, from Section 4.1.2 of the Haverhill Zoning Ordinance and via Special Permit in accordance with Sections 5.2 and 5.3 of the Haverhill Zoning Ordinance. Should the Board need further information and/or clarification on these issues, please do not hesitate to contact me directly.

Respectfully,

Robert G. Peterson, Jr., Esq.  
On Behalf of Washington 149, LLC  
Timothy Woodland, Manager

September 9, 2020

City of Haverhill  
ATTN: Board of Appeals  
Room 201 – 4 Summer Street  
Haverhill, MA 01830

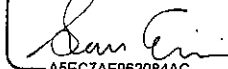
Re: PROPERTY OWNER CONSENT FOR PETITIONER TO FILE WITH THE  
CITY OF HAVERHILL BOARD OF APPEALS

Sir/Madam,

Please accept this letter as my express consent for the petitioner, Washington 149, LLC (Timothy Woodland, Manager), to apply for a special permit and/or variance relative to the property I own located at 149-153 Washington Street, Unit 1, Haverhill, MA 01830 (Parcel ID: 500-226-6-1).

Sincerely,

DocuSigned by:



A5EC7AF862084AC...

Sven A. K. Amirian, Trustee

Sven Amirian Family Nominee Trust

September 9, 2020

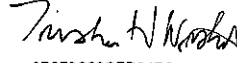
City of Haverhill  
ATTN: Board of Appeals  
Room 201 – 4 Summer Street  
Haverhill, MA 01830

Re: PROPERTY OWNER CONSENT FOR PETITIONER TO FILE WITH THE  
CITY OF HAVERHILL BOARD OF APPEALS

Sir/Madam,

Please accept this letter as my express consent for the petitioner, Washington 149, LLC (Timothy Woodland, Manager), to apply for a special permit and/or variance relative to the property I own located at 149-153 Washington Street, Unit 2, Haverhill, MA 01830 (Parcel ID: 500-226-6-2).

Sincerely,

DocuSigned by:  
  
9B973C83CED84D0...

Trisha H. Wishart

September 9, 2020

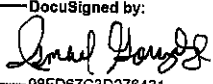
City of Haverhill  
ATTN: Board of Appeals  
Room 201 – 4 Summer Street  
Haverhill, MA 01830

Re: PROPERTY OWNER CONSENT FOR PETITIONER TO FILE WITH THE  
CITY OF HAVERHILL BOARD OF APPEALS

Sir/Madam,

Please accept this letter as my express consent for the petitioner, Washington 149, LLC (Timothy Woodland, Manager), to apply for a special permit and/or variance relative to the property I own located at 149-153 Washington Street, Unit 2, Haverhill, MA 01830 (Parcel ID: 500-226-6-3).

Sincerely,

DocuSigned by:  
  
98FD67C3D276431...

Ismael Gonzalez

# NOTES

1. SEE CITY OF HAVERHILL ASSESSORS MAP 500 BLOCK 288 LOT 6 FOR SITE.
2. DEED REFERENCE IS BOOK 2258B PAGE 143 E.S.D.R.D.
3. NON PAVED AND NON BUILDING AREAS TO BE LANDSCAPED.
4. EXISTING BUILDING HAS 2-2 BEDROOM RESIDENTIAL UNITS WITH COMMERCIAL UNIT ON FIRST FLOOR; PROPOSED RENOVATION HAS 2-2 BEDROOM UNITS ON SECOND FLOOR AND 2-2 BEDROOM AND 1-1 BEDROOM UNITS ON FIRST FLOOR (9 BEDROOMS-5 UNITS)

# LEGEND

STY	STORY
N.F.	NOW OR FORMERLY
S.F.	SQUARE FEET
A.C.	ACRES
B.T. CONC.	BITUMINOUS CONCRETE
⊙	PARKING SPACES
BLDG	BUILDING
DW	DWELLING UNIT

# DIMENSIONAL & DENSITY CALCULATIONS

ZONE: CC (COMMERCIAL GENERAL) USE: MULTI FAMILY			
ITEM	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	20,000 S.F.	9,431 S.F.	9,431 S.F.
MINIMUM LOT AREA PER DWELLING UNIT	2000 SF FIRST DU 1000 SF EACH NEXT DU	2 DU 2000 SF / FIRST DU 743.75 SF / NEXT DU	5 DU 2000 SF / FIRST DU 187.75 SF / NEXT DU
MIN LOT FRONTAGE	100'	92.80'	92.80'
MIN LOT DEPTH	100'	183.5'	183.5'
FRONT SETBACK	NONE	NONE	NONE
SIDE SETBACK	20'	18.38' / 17.87' / 8.12' / 4.83'	18.38' / 17.87' / 8.12' / 4.83'
REAR SETBACK	20'	105' / 124'	105' / 124'
MAX HEIGHT	74'	30.5'	30.5'
MAX STORIES	8	2	2
MAX BUILDING COVERAGE	NONE	2227 S.F. = 23.6%	2227 S.F. = 23.6%
MAX FLOOR AREA (FAR)	2.0	0.4721	0.4721
OPEN SPACE	NONE	2276 S.F. = 24.1%	2276 S.F. = 24.1%
PARKING	5 UNITS X 1.5 SP/UNIT = 7.5 SP	7	7

# PLAN OF LAND

149 WASHINGTON STREET

IN

HAVERHILL, MASSACHUSETTS

TO ACCOMPANY VARIANCE PETITION

PREPARED FOR OWNER & APPLICANT

149 WASHINGTON, LLC

85 ALEXANDER ROAD UNIT 3

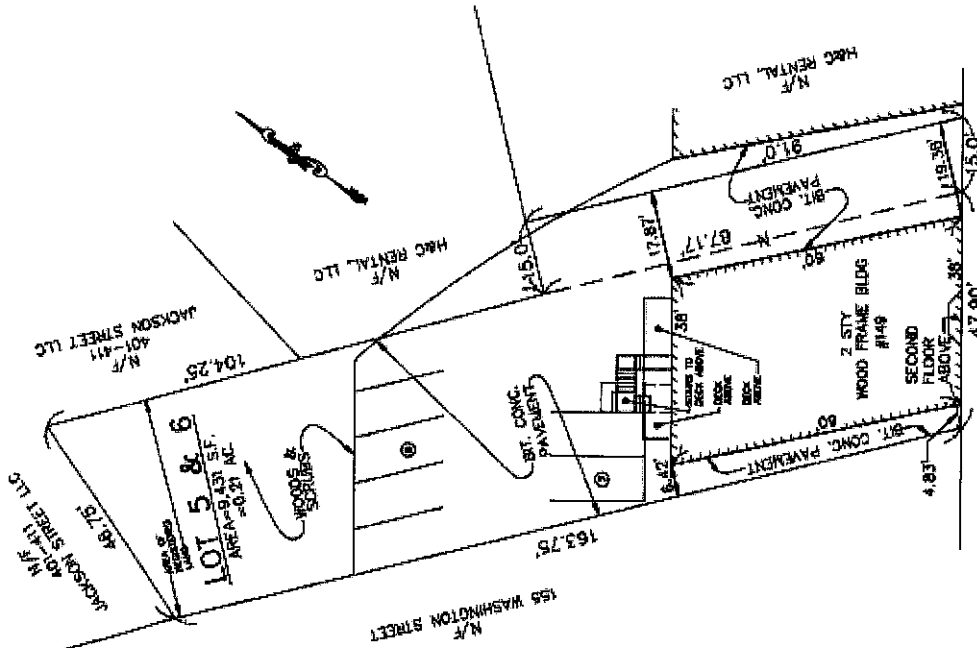
HILLERICA, MASSACHUSETTS 01821

SCALE: 1"=20' DATE: JULY 10, 2020

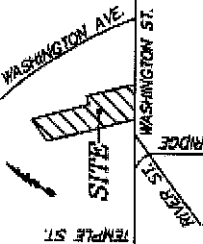


0 10 20 40 80

MERRIMACK ENGINEERING SERVICES  
60 PARK STREET  
ANDOVER, MASSACHUSETTS 01810  
TEL: (978) 478-8866 FAX: (978) 478-1448  
EMAIL: MERRIMACK@MERRIMACK.COM



WASHINGTON STREET  
(PUBLIC-WIDTH VARIES)



LOCUS  
N.T.S.

# NOTES

1. SEE CITY OF HAVERHILL ASSESSORS MAP 500 BLOCK 286 LOT 6 FOR SITE.
2. DEED REFERENCE IS BOOK 23586 PAGE 143 E.S.D.R.D.
3. NON PAVED AND NON BUILDING AREAS TO BE LANDSCAPED.
4. EXISTING BUILDING HAS 2-2 BEDROOM RESIDENTIAL UNITS WITH COMMERCIAL UNIT ON FIRST FLOOR; PROPOSED RENOVATION HAS 2-2 BEDROOM UNITS ON SECOND FLOOR AND 2-2 BEDROOM AND 1-1 BEDROOM UNITS ON FIRST FLOOR (9 BEDROOMS-5 UNITS)

# LEGEND

STY	STORY
N/F	NOW OR FORMERLY
S.F.	SQUARE FEET
A.C.	ACRES
B.T. CONC.	B.T. CONCRETE
⊙	PARKING SPACES
BLDG	BUILDING
DW	DWELLING UNIT

DIMENSIONAL & DENSITY CALCULATIONS			
ZONE: CG (COMMERCIAL GENERAL) USE: MULTI FAMILY			
ITEM	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	20,000 S.F.	9,431 S.F.	9,431 S.F.
MINIMUM LOT AREA PER DWELLING UNIT	2000 SF/FIRST DU 1000 SF/EACH NEXT DU	2 DU 2000 SF/FIRST DU 1438 SF/NEXT DU	6 DU 2000 SF/FIRST DU 1827.75 SF/NEXT DU
MIN LOT FRONTAGE	100'	62.80'	62.80'
MIN LOT DEPTH	100'	183.4'	183.4'
FRONT SETBACK	NONE	NONE	NONE
SIDE SETBACK	20'	18.38'/17.87'/8.42'/4.83'	18.38'/17.87'/8.42'/4.83'
REAR SETBACK	20'	105.71/24'	105.71/24'
MAX HEIGHT	7.4'	30.2'	30.2'
MAX STORIES	6	3	2
MAX BUILDING COVERAGE	NONE	2297 SF=23.0%	2227 SF=23.0%
MAX FLOOR AREA (FAR)	2.0	0.4721	0.4721
OPEN SPACE	NONE	2276 S.F. =24.1%	2276 S.F. =24.1%
PARKING	6 UNITS X 14 SP/UNIT =215 SP	7	7

# PLAN OF LAND

149 WASHINGTON STREET

IN

HAVERHILL, MASSACHUSETTS

TO ACCOMPANY VARIANCE PETITION

PREPARED FOR OWNER & APPLICANT

149 WASHINGTON, LLC

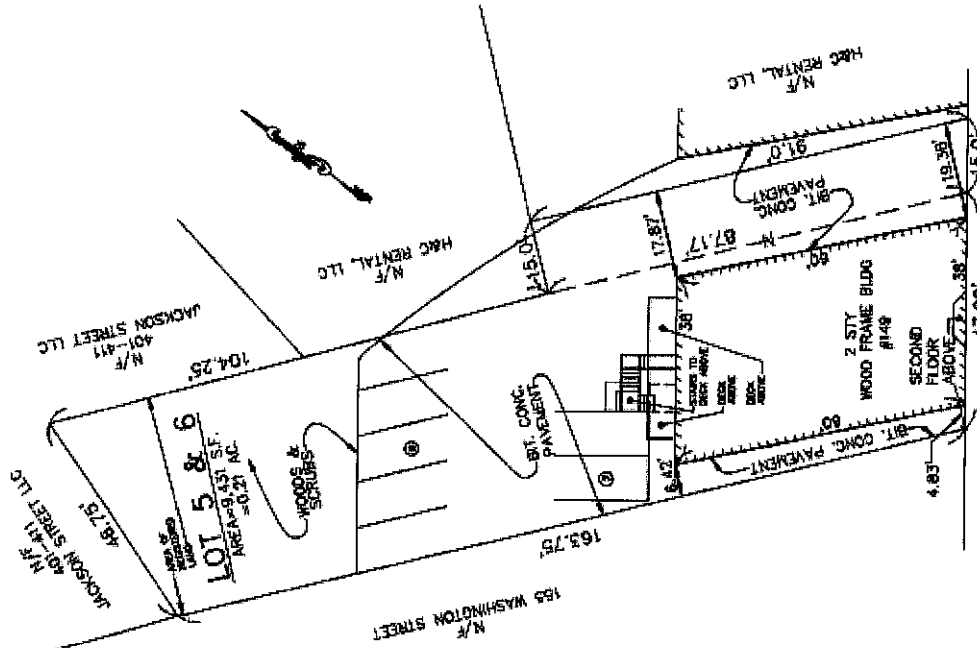
89 ALEXANDER ROAD UNIT 3

HILLIERIA, MASSACHUSETTS 01821

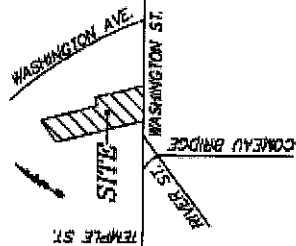
SCALE: 1"=20' DATE: JULY 10, 2020



**MSRIMACK ENGINEERING SERVICES**  
80 PARK STREET  
ANDOVER, MASSACHUSETTS 01810  
TEL: (978) 478-3025 FAX: (978) 478-1448  
EMAIL: MERRIMACK@MSRIMACK.COM



WASHINGTON STREET  
(PUBLIC-WIDTH VARIES)



LOCUS  
N.T.S.



# Haverhill

Economic Development and Planning  
Phone: 978-374-2330 Fax: 978-374-2315  
wpillsbury@cityofhaverhill.com

January 29, 2021

TO: City Council President Melinda E Barrett and members of the Haverhill City Council

FROM: William Pillsbury, Jr. Economic Development and Planning Director

**SUBJECT: Special permit for 149 Washington Street- 5 units**

At its meeting of January 13, 2021 the Haverhill Planning Board voted a conditional favorable recommendation to the City Council for the proposed special permit. The minutes of the public hearing are attached for your review.

The role of the Board was to conduct a public hearing to make a recommendation to the city council relative to the special permit to locate a project proposed to be 5 units. The zoning ordinance defines anything over 2 units as multi-family and as such a special permit for 5 units is required by zoning.

The proposed project is consistent with housing stock in the surrounding neighborhood and represents the opportunity to have infill housing that will serve to bring additional stability to the area by improving conditions and property values. The project represents a valuable investment in the Mount Washington neighborhood.

Reports were received from city departments and are in your packages for your review. No objections were received and any requirements from the city departments should be contained in the approval as conditions to the special permit to be implemented in the definitive plan. I recommend that their comments and letters be made part of the action taken on the special permit by the city council..

Specifically, pursuant to zoning ordinance Ch. 255-96 (as applicable) the following findings must be made relative to the project:

the request meets all pertinent conditions listed in article XI of the ordinance;  
the request is desirable to the public convenience or welfare;



the request will not impair the integrity or character of the district or adjoining zones nor be detrimental to the health, morals or welfare and will be in conformity with the goals and policies of the master plan;

The requested use provides for the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets;

The requested use provides for adequate methods of disposal for sewage refuse and other wastes and adequate methods for storm water and drainage;

The requested use provides for adequate off -street loading and unloading of service vehicles;

The requested use preserves historical buildings and uses.

**Proposed conditions and stipulations:**

I offer the following recommended conditions be made part of the special permit approval:

Require that the developer comply with all of the additional requirements of the City's subdivision regulations for water and sewer and drainage improvements as contained within those regulations and further detailed in the attached letters from the departments. These items shall be reflected in the definitive plan to be filed with the Planning board.

As Planning Director, I concur with the favorable recommendation based on an assumption that all items in the letters from the City Departments along with all requirements for special permits would be made part of the special permit for the project.

This project with the incorporation of the recommended conditions is generally in conformity with the City's master plan as well as providing sufficiently for traffic, public safety and other utility considerations. The project as proposed appears to conform to all other special permit requirements. On the basis of adopting the proposed conditions/stipulations, I recommend that the council act favorably on this project.

**RECOMMENDATION: Approve the special permit with the inclusion of any city department comments and the above stipulations being included in the special permit approval.**



# Haverhill

Economic Development and Planning  
Phone: 978-374-2330 Fax: 978-374-2315  
wpillsbury@cityofhaverhill.com

January 14, 2021

City Council President Melinda Barrett  
& City Councilors  
City of Haverhill

**RE: Special permit – 149 Washington Street**

Members Present: Chairman Paul Howard  
Member Robert Driscoll  
Member Kenneth Cram  
Member Karen Buckley  
Member Karen Peugh  
Member Nate Robertson  
Member William Evans  
Member April DerBoghosian, Esq.  
Member Ismael Matias

Members Absent: None

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

Dear City Council President and Councilors:

Please note at the January 13, 2021 ONLINE Planning Board meeting the board considered the recommendation of the Planning Director, William Pillsbury, Jr., to forward a favorable conditional recommendation for a special permit for 149 Washington Street.

Planning Director read the rules of public hearing into the record (online version). He also stated the role of the Planning Board is to make a recommendation to the City Council. In the case of special permits, that is the role of the Planning Board. The items is referred to the Council from the Planning Board. The Planning Board holds a hearing to make a recommendation to the council. The council will have its hearing subsequent to this. All the information that is generated tonight will be forwarded to the City Council at the appropriate time. With that Mr. Chairman we can proceed with the hearing.

Mr. Timothy Woodland of 149 Washington Street addressed the board. I am seeking a special permit to construct five residential units in this particular building. This is a conversion from a mixed use and looking to go entirely residential. At the moment I have an approval from the Board of Appeals for a parking variance for this particular project. The building itself is pretty consistent with residential building compared to a commercial. I don't believe that it had a commercial use in this building for over three years. More importantly, the high demand for market rate residential housing. This is the reason why I am looking to put the five residential units here.

Mr. Pillsbury: Currently how many units?

Mr. Woodland: Currently it is a two-story building 3 total units. First floor is one quote on quote commercial and the upstairs is currently two residential apartments.

Mr. Pillsbury: You are going from 2 residential apartments to 5 residential apartments?

Mr. Woodland: Correct.

Mr. Pillsbury: You have your variance for parking in place?

Mr. Woodland: Correct.

Member Peugh: What are the apartments? Are they one/two bedroom?

Mr. Woodland: The existing (which is not part of the plan to do any work to) is a three bedroom/two bedroom and the first floor will be a two bedroom/one bedroom/studio.

Member Robertson: There used to be a clothing company on the first floor. I bought a couple of things there. They have since moved away to Pittsburgh. I'm happy to see this building move along. I know that is a tough first floor space. To see more investment and bring more housing into that spot is certainly good use.

Chairman Howard asked if anyone from the public who wishes to speak?

Hearing none, we will close the public portion of the hearing and turn it over for comments from the Planning Director.

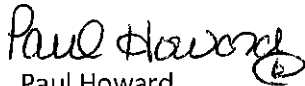
Mr. Pillsbury: The review of the plan indicates that the project complies with all required zoning dimensions. The density is consistent with the surrounding neighborhood. The city departments have reviewed the plan and no major objections were received. This will be requiring a site plan at the appropriate time with that I would recommend a conditional favorable recommendation. The conditions being the incorporation of the city department letters as part of the city council permit approval that maybe forthcoming. I would recommend a conditional favorable approval with the condition being the inclusion of the City Department letters and any request they make being incorporated into the special permit.

Member William Evans motioned to make a favorable conditional recommendation to the City Council as recommended by the Planning Director, William Pillsbury. The condition being the inclusion of all the comments/letters from city departments. Member Nate Robertson seconded the motion.

Chairman Paul Howard-yes  
Member Robert Driscoll-yes  
Member Ismael Matias-yes  
Member Kenneth Cram-yes  
Member Karen Buckley-yes  
Member Karen Peugh-yes  
Member Nate Robertson-yes  
Member April DerBoghossian, Esq.-yes  
Member William Evans-yes

Motion Passed.

Signed:

A handwritten signature in black ink, appearing to read "Paul Howard", with a stylized flourish at the end.

Paul Howard  
Chairman

Attachments: City Department Letters

Cc: Special permit 149 Washington Street  
City Engineer-John Pettis-email  
City Departments

**City Councilor E Review**

Review

**City Councilor F Review**

Review

**City Councilor G Review**

Review

**City Councilor H Review**

Review

**City Councilor I Review**

Review

**City Council Meeting**

Review

**Meeting Minutes & Decision Filed w/City Clerk**

Review

**Police Department Review****Assignee**

Robert Pistone

**Due date**

None

LINDA KOUTOULAS assigned this step to Robert Pigeon - Dec 10, 2020 at 11:16am  
LINDA KOUTOULAS assigned this step to Robert Pistone - Dec 10, 2020 at 11:16am  
Robert Pistone approved this step - Dec 30, 2020 at 12:32pm

**City Councilor E Review**

Review

**City Councilor F Review**

Review

**City Councilor G Review**

Review

**City Councilor H Review**

Review

**City Councilor I Review**

Review

**City Council Meeting**

Review

**Meeting Minutes & Decision Filed w/City Clerk**

Review

**Conservation Department Review**

## Assignee

Robert Moore

## Due date



None

**Robert Moore** ✓

Remove Comment • Jan 4th 2021, 11:59am

Project site is outside the jurisdiction of the Wetlands Protection Act and Haverhill wetlands protection ordinance. The project will NOT require permitting with the Conservation Commission.

LINDA KOUTOULAS assigned this step to Robert Moore - Dec 10, 2020 at 11:16am

Robert Moore approved this step - Jan 4, 2021 at 11:59am

**City Councilor E Review**

Review

**City Councilor F Review**

Review

**City Councilor G Review**

Review

**City Councilor H Review**

Review

**City Councilor I Review**

Review

**City Council Meeting**

Review

**Meeting Minutes & Decision Filed w/City Clerk**

Review

**Fire2 Department Review**

## Assignee

Michael Picard

## Due date

None



Michael Picard ✓

Remove Comment • Jan 5th 2021, 11:01am

The Fire Department expresses no concern with the mentioned parking variance, however in a previous meeting on September 29,2020 the Fire Department stated that the following items needed to be met for our approval on this project:

Existing - One Commercial Unit on First Floor and Two Residential Units on the Second Floor, converted to Five Residential Units - Three New Residential Units on the First Floor and Two Existing Residential Units to remain on the Second Floor.

The installation of a NFPA 13 compliant Sprinkler System will be required for the project

A Fire Alarm System in all Common Areas including the Basement, with System Heat

Detectors in each residential unit.

Hardwired Local Smoke Alarms in all Residential Units

This step was assigned to William Laliberty - Dec 29, 2020 at 1:38pm

William Laliberty assigned this step to Michael Picard - Dec 29, 2020 at 1:48pm

Michael Picard approved this step - Jan 5, 2021 at 11:01am



**City Councilor E Review**

Review



**City Councilor F Review**

Review



**City Councilor G Review**

Review



**City Councilor H Review**

Review



**City Councilor I Review**

Review



**City Council Meeting**

Review



**Meeting Minutes & Decision Filed w/City Clerk**

Review



**Fire1 Department Review**



Assignee

 Eric Tarpy

Due date

 None



**Eric Tarpy** ✓

Remove Comment • Jan 5th 2021, 11:03am

see fire 2 comments

LINDA KOUTOULAS assigned this step to Eric Tarpy - Dec 10, 2020 at 11:16am  
Eric Tarpy approved this step - Jan 5, 2021 at 11:03am

**City Councilor E Review**

Review



**City Councilor F Review**

Review



**City Councilor G Review**

Review



**City Councilor H Review**

Review



**City Councilor I Review**

Review



**City Council Meeting**

Review



**Meeting Minutes & Decision Filed w/City Clerk**

Review



**Health Department Review**



Assignee

Mark Tolman

Due date

 None



**Mark Tolman** ✓

Remove Comment • Jan 7th 2021, 12:11pm

Must submit a plan for rubbish / recycling storage and disposal.

LINDA KOUTOULAS assigned this step to Bonnie Dufresne - Dec 10, 2020 at 11:16am  
 Bonnie Dufresne assigned this step to Mark Tolman - Dec 30, 2020 at 9:16am  
 Mark Tolman approved this step - Jan 7, 2021 at 12:11pm

117  
**JOHNSON &  
BORENSTEIN, LLC**  
ATTORNEYS AT LAW

12 Chestnut Street  
Andover, MA 01810-3706  
Tel: 978-475-4488  
Fax: 978-475-6703  
www.jbllclaw.com  
don@jbllclaw.com

Hearing February 2  
2021  
Mark B. Johnson (MA, NH, DC)  
Donald F. Borenstein (MA, ME, NH)  
Gregory R. Richard (MA, NH)  
Kathleen M. Heyer (MA, NH)  
Thomas D. Orr (MA)  
Gordon T. Glass (ME, MA)

Of Counsel  
Robert W. Lavoie (MA, NH)

Paralegals  
Karen L. Bussell  
Lianne Patenaude  
Ellen M. Melvin  
Tina M. Wilson

October 28, 2020

*Via ViewPoint Cloud,  
First Class Mail and  
E-mail – mbarrett@cityofhaverhill.com*

City of Haverhill  
City Council  
c/o Melinda E. Barrett  
4 Summer Street  
Haverhill, MA 01830

11  
in watershed.

**Re: Special Permit Application for Property Located on Brandy Brow Road**

Dear Council President Barrett and City Council Members,

I represent D & D Realty Trust ("Applicant") in connection with the enclosed special permit application ("Application"). I write this letter to set forth the reasons why City Council should grant Applicant's requested special permit.

**I. Summary of Relevant Project Information**

Via the Application, Applicant requests that City Council approve certain site work on 13 lots<sup>1</sup> located within the Special Conservation District ("SC District") and Watershed Protection

<sup>1</sup> Assessor Parcel ID: 462-202-6, 462-202-7, 462-202-8, 462-202-9, 462-203-12, 462-203-12-2, 462-203-12-3, 462-8-1, 462-8-2, 462-8-3, 462-8-4, 462-8-5, and 462-203-5.

Please note, Applicant intends to submit Form A plans to adjust certain lot lines. As a result, the land currently comprising lots 462-202-8 and 462-203-12-3 will merge with other above-listed lots. Lots 462-202-8 and 462-203-12-3 will therefore cease to exist as individual lots.

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Overlay District (“WPO District”), as well as attendant improvements to Brandy Brow Road (“Project Site”). Applicant seeks thereby to prepare the Project Site for future construction of 11 single-family homes, with one home on each of the 11 lots to remain following the filing of the above-mentioned Form A plans (“Project”).

## **II. Summary of Fulfilled Special Permit Conditions<sup>2</sup>**

### **A. The Project Will Be Harmonious with Adjacent Structures and Uses**

The Project will be harmonious with all adjacent structures and uses, as the Project Site appears to be entirely surrounded by either undeveloped land, or land improved by single-family homes. Indeed, single-family homes have been constructed on Brandy Brow Road in several locations near the Project Site.<sup>3</sup>

### **B. The Ordinance and Its Table of Use and Parking Regulations Allow for the Requested Special Permit**

Under the Ordinance and its Table of Use and Parking Regulations (“Table”), “1-family detached dwellings” are generally allowed as-of-right within the SC District and WPO District. However, Applicant believes it will require a National Pollutant Discharge Elimination System (“NPDES”) permit for the Project. Under the Ordinance and its Table, the Project is therefore only allowable by special permit. See Ordinance, §§ 255-19(D)(1), 255-19(D)(1)(a), & 255-19(D)(3)(a)(4).

### **C. The Project is Essential or Desirable to the Public Convenience or Welfare**

As outlined in the Ordinance and the Vision Haverhill 2035 Master Plan (“Master Plan”), it is essential or desirable to the convenience and welfare of the residents of the City of Haverhill (“City”) that the Project Site be developed with single-family homes. Indeed, the Project will lay the groundwork to transform the piecemeal single-family development along Brandy Brow Road into a more comprehensive community, thereby offering new homeownership opportunities in the City while increasing the City’s property tax revenue.

As such, the Project will certainly not impair the integrity or character of the SC/WPO Districts, which are currently improved by numerous single-family homes, or of any adjoining zoning districts, nor will it be detrimental to the health, morals or welfare of the local community. Instead, the Project will benefit and grow the local community, in conformity with the goals and policies of the Master Plan.

### **D. The Project Will Provide for Vehicular and Pedestrian Convenience and Safety**

As shown by the Project’s Road Reconstruction & Lot Preparation Plans, prepared by Greenman-Pedersen, Inc. and dated October 2, 2020 (“Project Plan”), the Project will provide for the

---

<sup>2</sup> See §§ 255-80(E) & (F) of the Haverhill Zoning Ordinance (“Ordinance”). §§ 255-80(E)(2), 255-80(E)(8), and 255-80(F) are inapplicable to the Project.

<sup>3</sup> For example, lots 462-202-4, 462-202-5, 462-201-4, and 462-201-3.

117  
convenience and safety of vehicular and pedestrian movement both within the Project Site and in relation to adjacent streets, properties, and improvements. The Project will likewise provide for adequate off-street loading and unloading of service vehicles.

Indeed, the Project will improve Brandy Brow Road, which will increase the convenience and safety of using said road for vehicles and pedestrians. Additionally, the Project will include the construction of driveways to support future single-family homes within the Project Site, and said driveways will provide more than adequate space for off-street loading and unloading of service vehicles.

**E. The Project Will Provide Adequate Methods for Surface and Storm Water Drainage, as well as Site Work Waste Disposal**

As shown on the Project Plan<sup>4</sup>, and in accordance with the requirements of NPDES permitting, the Project will provide for adequate methods for surface and storm water drainage.

Lastly, while the Project will not involve sewage disposal, all waste/refuse generated during site work will be disposed of in compliance with relevant law.

Should you have any questions about any of the information contained herein or within the enclosed Application, Applicant and I would be happy to address them. I look forward to discussing the Application with City Council.

Very truly yours,

JOHNSON & BORENSTEIN, LLC

*Donald F. Borenstein*

Donald Borenstein

DFB~

Cc: William Pillsbury *via e-mail* – [wpillsbury@cityofhaverhill.com](mailto:wpillsbury@cityofhaverhill.com)  
Linda L. Koutoulas *via e-mail* – [cityclerk@cityofhaverhill.com](mailto:cityclerk@cityofhaverhill.com)  
Richard Early, Sr. *via e-mail* – [earlyandsons@comcast.net](mailto:earlyandsons@comcast.net)

---

<sup>4</sup> For example, the infiltration basin located on lot 462-8-1.

ATTORNEYS AT LAW

12 Chestnut Street  
Andover, MA 01810-3706  
Tel: 978-475-4488  
Fax: 978-475-6703  
[www.jblclaw.com](http://www.jblclaw.com)  
[don@jblclaw.com](mailto:don@jblclaw.com)

Gregory R. Richard (MA, NH)  
Kathleen M. Heyer (MA, NH)  
Thomas D. Orr (MA)  
Gordon T. Glass (ME, MA)

Of Counsel

Robert W. Lavoie (MA, NH)

## Paralegals

Karen L. Bussell  
Lianne Patenaude  
Ellen M. Melvin  
Tina M. Wilson

**By First Class & Electronic Mail:** [Cityclerk@cityofhaverhill.com](mailto:Cityclerk@cityofhaverhill.com)

Linda L.Koutoulas  
Haverhill City Clerk  
4 Summer Street #204  
Haverhill, MA 01830

Re:    Applicant:    D&D Realty Trust  
      Application:    Petition for Watershed Special Permit  
      Property:        0 Brandy Brow Road

Dear Clerk Koutoulas,

Following a multi-departmental review meeting held with City staff on January 21, 2021, and so as to allow time to continue important discussions begun during that review and to allow City staff to continue to collect and review information concerning the project, the Applicant requests that the above-referenced special permit hearing be continued from the Council's meeting of February 2, 2021, to the meeting of March 2, 2021.

Thank you for your cooperation.

Very truly yours,  
JOHNSON & BORENSTEIN, LLC

/s/ Donald F. Borenstein

Donald F. Borenstein  
DFB~sak

cc: Melinda Barrett, Haverhill Council President-by-email [mbarrett@cityofhaverhill.com](mailto:mbarrett@cityofhaverhill.com)  
Robert E. Ward, Deputy DPW Director by-email [rward@haverhillwater.com](mailto:rward@haverhillwater.com)

Deed Recorded in Essex South Registry: Block Number  
15002

Deed Recorded in Essex South Registry: Page  
10

Does the Property Have Multiple Lots?

--

IF YES, How Many Lots?

IF YES, What Is/Are the Map, Block Lot (MBL) Number(s)?

--

#### Thoroughly Describe the Reason(s) for thre Special Permit

See attached cover letter. Applicant seeks a watershed special permit to allow for improvement of existing public way, Brandy Brow Road, and development of 11 single-family homes and related utilities and improvements.

#### Property Description

Various parcels of undeveloped land located on Brandy Brow Road, an existing public way, to be configured and developed as 11 single-family homesites of 80,000 sf or more per lot.

#### Current Property Use

Wooded Area

#### TOTAL Number of Units Planned

11

#### TOTAL Number of Parking Spaces Planned

22

#### Planned Lot Use

##### Size of Proposed Building(s)

30' x 60'

IF OTHER ALTERATIONS, Please Describe  
utilities and other associated improvements

##### Lot Plat Number, Book, Lot

462-202-6

##### Size of Existing Building(s) on Lot

0

##### Extent of Proposed Alterations

New Construction: Residential

##### Lot Dimensions

80,000 sf

##### Types of Units Planned on Lot

Condominiums (for sale)

##### Lot Number

Lot 1

##### Number of Existing Buildings on Lot

0

##### Number of Units Planned on Lot

1

##### Number of Buildings Planned for Lot

1

##### Number of Families to be Accommodated

1

##### Lot Dimensions

201,678 sf

##### Number of Buildings Planned for Lot

1

##### Size of Existing Building(s) on Lot

0

##### Number of Families to be Accommodated

1

##### Extent of Proposed Alterations

New Construction: Residential

##### Types of Units Planned on Lot

Condominiums (for sale)

##### Size of Proposed Building(s)

IF OTHER ALTERATIONS, Please Describe

30' x 60'	utilities and other associated improvements
<b>Lot Number</b>	<b>Lot Plat Number, Block, Lot</b>
Lot 2	462-202-7
<b>Number of Units Planned on Lot</b>	<b>Number of Existing Buildings on Lot</b>
1	0

<b>Lot Plat Number, Block, Lot</b>	<b>Size of Proposed Building(s)</b>
462-202-9	30' x 60'
<b>Lot Dimensions</b>	<b>IF OTHER ALTERATIONS, Please Describe</b>
224,064 sf	utilities and other associated improvements
<b>Types of Units Planned on Lot</b>	<b>Number of Buildings Planned for Lot</b>
Condominiums (for sale)	1
<b>Lot Number</b>	<b>Size of Existing Building(s) on Lot</b>
Lot 3	0
<b>Number of Families to be Accommodated</b>	<b>Number of Units Planned on Lot</b>
1	1
<b>Number of Existing Buildings on Lot</b>	<b>Extent of Proposed Alterations</b>
0	New Construction: Residential

<b>Size of Proposed Building(s)</b>	<b>IF OTHER ALTERATIONS, Please Describe</b>
30' x 60'	utilities and other associated improvements
<b>Lot Number</b>	<b>Number of Families to be Accommodated</b>
Lot 4	1
<b>Types of Units Planned on Lot</b>	<b>Number of Existing Buildings on Lot</b>
Condominiums (for sale)	0
<b>Lot Dimensions</b>	<b>Lot Plat Number, Block, Lot</b>
101,965	462-203-12
<b>Number of Units Planned on Lot</b>	<b>Number of Buildings Planned for Lot</b>
1	1
<b>Size of Existing Building(s) on Lot</b>	<b>Extent of Proposed Alterations</b>
0	New Construction: Residential

<b>Size of Existing Building(s) on Lot</b>	<b>Size of Proposed Building(s)</b>
0	30' x 60'
<b>IF OTHER ALTERATIONS, Please Describe</b>	<b>Number of Buildings Planned for Lot</b>
utilities and other associated improvements	1
<b>Extent of Proposed Alterations</b>	<b>Types of Units Planned on Lot</b>
New Construction: Residential	Condominiums (for sale)



**Number of Units Planned on Lot**

1

**Lot Dimensions**

150,378 sf

**Number of Existing Buildings on Lot**

0

**Number of Families to be Accommodated**

1

**Lot Number**

Lot 5

**Lot Plat Number, Book, Lot**

462-203-12-2

**Types of Units Planned on Lot**

Condominiums (for sale)

**Size of Existing Building(s) on Lot**

0

**Number of Units Planned on Lot**

1

**Size of Proposed Building(s)**

30' x 60'

**Extent of Proposed Alterations**

New Construction: Residential

**Lot Dimensions**

115,600 sf

**Number of Buildings Planned for Lot**

1

**IF OTHER ALTERATIONS, Please Describe**

utilities and other associated improvements

**Number of Existing Buildings on Lot**

0

**Lot Number**

Lot 6

**Number of Families to be Accommodated**

1

**Lot Plat Number, Book, Lot**

462-8-1

**Lot Dimensions**

80,000 sf

**IF OTHER ALTERATIONS, Please Describe**

utilities and other associated improvements

**Number of Families to be Accommodated**

1

**Extent of Proposed Alterations**

New Construction: Residential

**Number of Existing Buildings on Lot**

0

**Number of Buildings Planned for Lot**

1

**Size of Proposed Building(s)**

30' x 60'

**Lot Number**

Lot 7

**Size of Existing Building(s) on Lot**

0

**Lot Plat Number, Book, Lot**

462-8-2

**Types of Units Planned on Lot**

Condominiums (for sale)

**Number of Units Planned on Lot**

1

**Size of Existing Building(s) on Lot**

0

**Number of Families to be Accommodated**

1

**Size of Proposed Building(s)**

30' x 60'

**Number of Buildings Planned for Lot**

1

<b>Number of Units Planned on Lot</b> 1	<b>IF OTHER ALTERATIONS, Please Describe</b> utilities and other associated improvements
<b>Lot Plat Number, Bock, Lot</b> 462-8-3	<b>Number of Existing Buildings on Lot</b> 0
<b>Lot Number</b> Lot 8	<b>Extent of Proposed Alterations</b> New Construction: Residential
<b>Lot Dimensions</b> 80,000 sf	<b>Types of Units Planned on Lot</b> Condominiums (for sale)

<b>Lot Plat Number, Bock, Lot</b> 462-8-4	<b>Size of Existing Building(s) on Lot</b> 0
<b>Number of Units Planned on Lot</b> 1	<b>IF OTHER ALTERATIONS, Please Describe</b> utilities and other associated improvements
<b>Number of Buildings Planned for Lot</b> 1	<b>Size of Proposed Building(s)</b> 30' x 60'
<b>Lot Dimensions</b> 80,000 sf	<b>Number of Existing Buildings on Lot</b> 0
<b>Extent of Proposed Alterations</b> New Construction: Residential	<b>Lot Number</b> Lot 9
<b>Types of Units Planned on Lot</b> Condominiums (for sale)	<b>Number of Families to be Accommodated</b> 1

<b>Size of Proposed Building(s)</b> 30' x 60'	<b>IF OTHER ALTERATIONS, Please Describe</b> utilities and other associated improvements
<b>Lot Plat Number, Bock, Lot</b> 462-8-5	<b>Number of Existing Buildings on Lot</b> 0
<b>Number of Buildings Planned for Lot</b> 1	<b>Lot Dimensions</b> 80,000 sf
<b>Extent of Proposed Alterations</b> New Construction: Residential	<b>Size of Existing Building(s) on Lot</b> 0
<b>Types of Units Planned on Lot</b> Condominiums (for sale)	<b>Number of Units Planned on Lot</b> 1
<b>Number of Families to be Accommodated</b> 1	<b>Lot Number</b> Lot 10

## Special Circumstances

Building Coverage

Dimensional Variance

--

--

**Front Yard Setback**

**Side Yard Setback**

--

--

**Rear Yard Setback**

**Lot Frontage**

--

--

**Lot Depth**

**Lot Area**

--

--

**Building Height**

**Floor Area Ratio**

--

--

**Open Space**

**Parking**

--

--

**Sign Size**

**Use**

--

--

**Other**

**IF OTHER, Please Describe**

true

common driveway

## Hearing Waiver

**Agrees**

Yes

## Agreement & Signature

**Agrees**

true

## PLEASE READ

### Office Use Only

**City Council Decision**

**City Council Hearing Date**

--

--

**Reason for Council's Decision**

--

**City Council Members Absent**

--

**City Council Members Present**

--

**Continuance Meeting Date**

**Also Present**

--

--

**City Councilor Who Seconded Motion****City Councilor Who Made Motion**

--

--

**City Councilors Who Voted Against****City Councilors Who Abstained**

--

--

**Continuance Motion Decision****Who Submitted Continuance Request?**

--

--

**City Councilors Who Voted in Favor**

--

**Number of 12"x18" Mylar Copies****Appeal Expiration Date**

--

--

**Number of 24"x36" Mylar Copies****Number of 18"x24" Mylar Copies**

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**Attachments (40)****pdf Property Owner's Permission**

Oct 28, 2020

**pdf Written Summary of Project**

Oct 28, 2020

**pdf Recorded Decision Sheet from Planning Board**

Oct 28, 2020

**pdf Copy of Approved Site Plan**

Oct 28, 2020

**pdf Certified Plot Plan**

Oct 28, 2020

**pdf FINAL 04 0029222 RPT Brandy Brow Rd 060311.pdf**

Oct 28, 2020

**pdf Horsley Witten Goroup Peer Review dated 5-22-2008.pdf**

Oct 28, 2020

**pdf Horsley Witten Goroup Peer Review Letter #2 dated 7-22-2011.pdf**

Oct 28, 2020

**pdf Horsley Witten Goroup Peer Review Letter #3 dated 10-3-2011.pdf**

Oct 28, 2020

**pdf Horsley Witten Goroup Peer Review Letter #4 dated 10-13-2011.pdf**

Oct 28, 2020

**pdf Horsley Witten Goroup Peer Review Letter #5 dated 11-3-2011.pdf**

Oct 28, 2020

**pdf REC Weltand Delineation Review 5-15-2008.pdf**

Oct 28, 2020

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Nov 02, 2020

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Nov 02, 2020

pdf **Mailing Labels 462.203.12.3.pdf**

Nov 02, 2020

## Timeline



### **Special Permit Filing Fee**

**Status:** Paid October 28th 2020, 6:33 pm

**Donald Borenstein** October 28th 2020, 6:23:35 pm

Filing fee check to be included with hardcopy submission.

**Donald Borenstein** November 2nd 2020, 11:43:14 am

Fee was successfully paid by credit card, no paper check needed.



### **Building Inspector Review**

**Status:** Completed December 10th 2020, 1:03 pm

**Assignee:** Tom Bridgewater

**Tom Bridgewater** December 10th 2020, 1:03:08 pm

ok to move to agenda



### **Planning Director Review**

**Status:** Completed December 10th 2020, 1:03 pm

**Assignee:** William Pillsbury

**William Pillsbury** December 10th 2020, 1:03:45 pm

ok for agenda



### **Assessor for Abutter's List**

**Status:** Completed December 10th 2020, 1:10 pm

**Assignee:** Christine Webb

**Christine Webb** November 2nd 2020, 11:34:47 am

Please see the abutters and mailing lists for MBL's listed

**Christine Webb** December 10th 2020, 1:10:54 pm

Please see the lists that were attached 11/2/2020



### **City Clerk Review - Hearing Dates Set**

**Status:** In Progress

**Assignee:** Maria Bevilacqua

**LINDA KOUTOULAS** December 10th 2020, 1:12:03 pm

jan 13 planning board meeting



### **Conservation Department Review**

**Status:** Pending

**Assignee:** Robert Moore



### **DPW Review**

**Status:** Pending

**Assignee:** Mike Stankovich



### **Engineering Department Review**

**Status:** Pending

☐ **Fire1 Department Review**

Status: Pending

☐ **Fire2 Department Review**

Status: Pending

☐ **Health Department Review**

Status: Pending

☐ **Police Department Review**

Status: Pending

☐ **School Department Review**

Status: Pending

☐ **Storm Water Review**

Status: Pending

☐ **Wastewater Review**

Status: Pending

☐ **Water Department Review**

Status: Pending

☐ **First Ad Placement**

Status: Pending

Assignee: Maria Bevilacqua

☐ **Placed on Agenda**

Status: Pending

Assignee: Maria Bevilacqua

☐ **Abutter Notification**

Status: Pending

Assignee: Maria Bevilacqua

☐ **Second Ad Placement**

Status: Pending

Assignee: Maria Bevilacqua

☐ **City Councilor A Review**

Status: Pending

☐ **City Councilor B Review**

Status: Pending

☐ **City Councilor C Review**

Status: Pending

☐ **City Councilor D Review**

Status: Pending

☐ **City Councilor E Review**

Status: Pending

☐ **City Councilor F Review**

**Status:** Pending

☐ **City Councilor G Review**

**Status:** Pending

☐ **City Councilor H Review**

**Status:** Pending

☐ **City Councilor I Review**

**Status:** Pending

☐ **City Council Meeting**

**Status:** Pending

**Assignee:** Maria Bevilacqua

☐ **Meeting Minutes & Decision Filed w/City Clerk**

**Status:** Pending

**Assignee:** Barbara Arthur



## City Council Special Permit

**CCSP-20-5**

Status: Active

Submitted: Oct 28, 2020

## Applicant

Donald Borenstein  
 978-475-4488  
 don@jblclaw.com

## Location

0 BRANDY BROW RD  
 Haverhill, MA 01830

Hearing February 2

2021

10.2

"

washed special permit

**Important: Please Read Before Starting Your Application****Applicant Information****What is Your Role in This Process?**

Attorney/Agent

**Applicant Business/Firm Name**

Johnson &amp; Borenstein, LLC

**Applicant Business/Firm Phone**

978-475-4488

**Applicant Business/Firm Address**

12 Chestnut Street

**Applicant Business/Firm City**

Andover

**Applicant Business/Firm State**

Massachusetts

**Applicant Business/Firm Zip**

01810

**Client Name**

Richard P. Early, Sr., Trustee

**Client Business Name**

D &amp; D Realty Trust

**Client Phone**

978-475-4488

**Client Email**

don@jblclaw.com

**Client Address**

6 Puzzle Lane, Unit 2

**Client City**

Newton

**Client State**

New Hampshire

**Client Zip**

03858

**Client County**

Rockingham

**Client Business Structure**

Sole Proprietorship

**Property Information****Proposed Housing Plan Name**

Brandy Brow Road

**Proposed Street Name(s)**

Brandy Brow Road

**How Long Owned by Current Owner?**

22 years

IN CITY COUNCIL: December 15 2020  
REFER TO PLANNING BOARD and  
VOTED: that COUNCIL HEARING  
BE HELD FEBRUARY 2 2021  
Attest; \_\_\_\_\_ City ClerkType of Dwelling(s) Planned in Project  
Single Family**Lot Dimension(s)**

various 80,000+ sf, see plan

**Number of Lots Involved**

11

**Zoning District Where Property Located**

SC - Conservation

**Registry Plat Number, Block & Lot**

N/A



# Haverhill

Economic Development and Planning  
Phone: 978-374-2330 Fax: 978-374-2315  
wpillsbury@cityofhaverhill.com

January 14, 2021

City Council President Melinda Barrett  
& City Councilors  
City of Haverhill

**RE: Special permit – Watershed – Brandy Brow Road**

Members Present: Chairman Paul Howard  
Member Robert Driscoll  
Member Kenneth Cram  
Member Karen Buckley  
Member Karen Peugh  
Member Nate Robertson  
Member William Evans  
Member April DerBoghosian, Esq.  
Member Ismael Matias

Members Absent: None

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

Dear City Council President and Councilors:

Please note at the January 13, 2021 ONLINE Planning Board meeting the board considered the recommendation of the Planning Director, William Pillsbury, Jr., to forward a favorable conditional recommendation for a special permit for Brandy Brow Road.

Planning Director read the rules of public hearing into the record (online version).

Attorney Don Borenstein of 12 Chestnut Street, Andover, MA addressed the board on behalf of the applicant. I will give the board a quick overview of the history of this site. You maybe familiar with it. It has been to the Planning Board and the City Council on prior occasions. I would also note, that David Jordan, the project engineer is on with us and I will hand it over to him after I give you the history. We do have a proposal for 11 single family homes on 29.4 acres on a currently undeveloped section of Brandy Brow Road. It is in the SC district. The history of the land, basically before 1996 became trouble

because of illegal dumping and a favorite spot for underage drinking. In 1996, the City Council was considering the discontinuance of this section of Brandy Brow Road. The ultimately elected not to discontinue it. That would have triggered eminent domain taking of the abutting property. They did elect to temporarily close the road. When they closed it with the use of the vehicular control gates that you see out there now. They closed off the road and it is still existing as a public road. When they approved the temporary closure of it. The City Council has made at least one prior amendment to that closure by allowing some homes at the Plaistow end of the road to be constructed. The gate was moved slightly further away from the Plaistow end of the road. In 2006, my client, D&D Realty Trust petitioned the City Council and through this board to either remove both gates entirely or to remove the Plaistow end gate to allow for single family home construction on land that was owned by the trust on Brandy Brow Road. That was approved by the City Council and issued an order in 2006. It would allow either/or either allowance of the removal of both gates or the allowance of just the Plaistow sided gate. That was issued with conditions. The primary condition was that watershed special permit be obtained and that no gate be removed until the first home was constructed. My assistants back then, went forward with a proposal for 13 homes along the road, that included a section that had a definitive subdivision road that would have stubbed off of Brandy Brow. It also had multiply common driveways to get to the 13 lots. This went through this board and significantly reviewed at City Council and a full peer review at that time. It ultimately was withdrawn due to market conditions at that time back in 2006-2007. Since then the project has sat relatively dormant. Going back 2019 it was revisited and David Jordan the project engineer who will be on with us in a moment and I sat with several different city staff and looked at reconfiguring the project and bringing it back before the city boards. It is now reintroduced as 11 home project on the nearly 30 acres. The definitive aspect of it has been eliminated. All these 11 homes would be on Form A lots. The frontage would be on Brandy Brow Road. It is still limited to the removal of the single gate. The Plaistow sided gate would be removed. The road would not be a thru street. I will save the specifics of the proposal for David to go over. We had made significant progress up until the March shut down. We filed this proposal with the City Council back in October of last year. We are also scheduled for city department review next Thursday and for City Council hearing on February 2<sup>nd</sup>. With that I would like to turn it over to Dave.

Mr. David Jordan engineer and land surveyor with Green and Peterson, Salem NH addressed the board. (shared the plan online) The lots that are being discussed tonight are existing lots along Brandy Brow Road. (shows snapshot from the Haverhill GIS system). As you can see, Brandy Brow Road runs left to right on this plan. I have highlighted the 13 existing lots that D&D Realty owns. We have the west end of Brandy Brow Road over here (up at the Plaistow/Route 108) and Corliss Hill Road coming in here. The green dashed line is the portion of Brandy Brow that is currently gated. This is the portion that is starting at the west end and extending to this last lot over here. That is the portion that we are looking to reconstruct. This is the subject of the special permit application. Further off to the east, is the east end of Brandy Brow Road that comes off of Route 110. Again, there are 13 existing lots out here owned by D&D Realty and as Don said the proposal that we have before you are actually for 11 lots. I can run through that for you here. Again, Brandy Brow Road runs left/right across this plan here. Over to the far-left hand side is the Plaistow end of Brandy Brow and if you head easterly the existing gate that is there currently is located at this point here. There are several existing homes already on Brandy Brow prior to that gate. You can see that actually a couple of them involved with the special permit are on the west side of the gate as well. I've used this plan to highlight the lots that are part of this proposal. Basically we have four different areas. There are three lots on the south side of Brandy Brow Road and across from that there are another two lots. Heading further east there is five lots and one lot off by itself at the very end. In all we will be reconstructing approximately 3,300' of Brandy Brow Road. Starting about 100' west of the existing gate, picking up the road where the pavement ends its actually

west of the gate that is out there. Part of this proposal that is in front of you tonight and different than the proposal that was presented in 2006 we are actually eliminating some lots out here. I will go through those with you. I basically want to use this plan to give you some high-level overview of what we are doing. The green lots in total are approximately 29.4 acres in size. There are 11 lots that we are proposing. On Brandy Brow Road starting from the gate on the west side or just before the gate on the west side extending east to the end here about 3,300'. We have as part of this petition submittal; we have received comments from a number of departments already. I know the Fire Department has issued a number of comments and we actually have had several meetings with them prior to submitting this plan. As part of that, I want to highlight some facts here to be clear to this board. The majority of the newly proposed reconstruction portion of Brandy Brow Road is going to be 28' pavement (28' paved surface). The only exception to that is the first 300' where it is going to be 24' and that is because we have an existing wetland crossing (inaudible). The rest will be in accordance with the town's subdivision regulations. In addition to a full turn around at that end of Brandy Brow Road there will be a midpoint turnaround about 1,600' in from the gate to provide 2 points in which emergency vehicles could turn around as to not drive to the end of Brandy Brow Road to do that. I will go through some of the other plans here, quickly for you. As we get into the road construction plan and what we are calling a lot preparation plan (three lots south side of Brandy Brow) currently there is four existing form a lots. We would be looking to come in at some point with a form a plan to take 3 lots and reduce those down to 2. Those lots would be served by a common driveway that would provide the access to two of those lots. The third lot on this side of Brandy Brow Road will have its own independent access off of Brandy Brow Road. The next plan shows across the street from those 3 lots. This currently is 3 lots the existing lots lines are shown in red – we would be looking to resub divide with a form a process into just 2 lots. The reason for that is a result of analyzing the steep slope out here. There is a vernal pool, so we are taking into account the environmental factors here. We would reduce this down to two lots. Each of these lots will have their own driveway with a access off of Brandy Brow Road. There will be no common driveway here. While these plans do show potential house and driveway locations that is not the specific purpose of this application. The final location of any lot or house on these lots will be determined at a later date when the house will be built and the desire of the developer of these lots. As part of Brandy Brow Road though – the first portion is the portion that would be 24' of pavement for the first 300'. Again we have a wetland crossing at this location where we are kind of pinched in and constrained. Once we get beyond that constraint, we would widen the road up to 28' of pavement. We do propose a new storm water drainage system. It's a combination of closed drainage system, catch basins, and treatment holes. Where we have likewise constraints due to wetlands, we have an open country like drainage system consisting of roadside swales. All of the water, however, will be collected and treated, infiltrated to provide proper treatment and mitigation of the stormwater coming off of this road. Continuing further east these are five existing lots and still will be five house lots in the future. This shows the intermediate turnaround, adjacent to that one of the storm water infiltration basins and sediment forebay. Continuing east towards the end, this is the last lot at the end of the section of Brandy Brow Road that we are approving, again, there is a full turnaround drainage infiltration basin and discharge areas. As I have mentioned we have started receiving a number of comments from the various departments within the city. We have a meeting scheduled as Don said, next Thursday with the Engineering Department and the interdepartmental review process. We are going to further our discussion with the city departments. Based on the comments that have already been received and additional comments that we except that will come out of that discussion next Thursday. I will stop sharing my screen and turn it over to the board. I would be happy to answer any questions that you may have.

Mr. Pillsbury: If I may interject as we continue this hearing portion. The role of the Planning Board tonight as I have said earlier is to make a recommendation to the City Council. This is not acting on the plan tonight. This is simply an opportunity for the plan to be heard. This is for the Planning Board to make recommendation and comments to the City Council and forward those along to the City Council. The City Council hearing is scheduled for February 2<sup>nd</sup>. That will be the opportunity for the City Council hearing the detailed information. For the public tonight, the recommendation to the City Council at the end if the Planning Board takes an action that action is based on a recommendation to the City Council not an approval or anything that would imply the ability to go forward. Again, with that Mr. Chairman, I would turn it over to you for the public portion.

Member Peugh: What is some of the feedback that you received from the City Departments and what changes have you already made?

Mr. Jordan: As I mentioned, we have had a number of meetings over the past basically over a year now with different departments. When this plan was brought before the City Council back in 2006-2009 at that time we were proposing to construct Brandy Brow Road with 24' of pavement along the entire length and based on discussions we had with the Fire Department last year they made it very clear that because of the location of these lots within the City they were concerned about providing proper access for emergency vehicles. Out of that came the change where we did widen the road to the 28' where we could. We also provided intermediate turn around point which was not part of the prior proposal. The other thing we have done.... we have had a couple of discussions with Rob Moore of the Conservation Department. Obviously, there is a lot of interest from their part. We are in the watershed and there a number of wetland areas in and around these lots. That is why in the first couple of groupings of lots we have eliminated to what currently exist out there. Again, trying to balance the developers needs with these lots that he owns with the regulations both within the watershed and the Conservation rules. Those are the most significant changes that have come out of this latest plan.

Member Peugh: Do you have a sense already of the houses you are looking to build, size, price point?

Mr. Jordan: We really don't. These are single family house lots. They are all essentially two acres or greater. I think...I would expect them to be certainly four-bedroom homes, 2-3 car garages.

Member Robertson: My concerns are less about emergency access and more sympathetic towards Rob Moore's point. The land sits in the East Meadow River watershed district. These are large footprint single family homes. It's essentially taken 29.4 acres of land and putting 11 homes on it and a road thru it. This is what I am concerned about when we talk about protecting East Meadow River watershed. I guess if you could offer some clarity on the...a lot of these are two-acre sites because it is in the SC zone. Any idea in terms of footprint in terms of 1. What is going to be cut down and what is going to be replaced with? 2. How will that affect the surrounding watershed?

Mr. Jordan: I will share my screen again. On the plans we did include the approximate tree clearing on all the lots. For example starting with the first lot on Brandy Brow Road you can see where we have identified a potential spot for a house and driveway. These obviously will be on septic systems and wells. It is shown approximate area of disturbance of what I will call lot clearing. You can see on this lot...which is an existing lot and is just under 2 acres 80,000 s/f (pre-existing lot) while the front would be cleared, potentially the back 2/3<sup>rd</sup>s remains undisturbed. Likewise were we have this common driveway we have identified an area around these which are significantly smaller than the lots themselves. We have wetland buffers which we will need to stay out of anyway. These lots are much larger than what is

needed for a house and yard. One thing I looked at earlier today (Haverhill GIS) this is a 2019 aerial...these are showing the existing lots, so again, these 4 lots would now be 3. You can kind of get a sense from the existing homes on Brandy Brow Road...2 houses here...kind of like what I just described they cleared the area around the house but the back still remains very wooded. We would expect that to be the condition on all these lots through here. Likewise on the other end of Brandy Brow Road where we are not connecting to you see houses on similar size lots but the majority of those lots remain wooded and vegetated. There is no intention of clear cutting those lots. The disturbance on the lots is intended to be only what is necessary for the construction of these homes. Nothing more than that.

Member Robertson: My worry...after seeing this on the docket I walked that roadway yesterday. There is a surprising amount of people walking their dogs...it's kind of like a destination now because it is a unique walkable area. My fear is always to go back out and see it all clear cut which I think we don't want to see. Half of it is a sandpit which serves no use to anything. I would expect any use is better than a sand pit. Why not connect the two ends of the road?

Mr. Jordan: I think Don may want to weigh in on that one.

Attorney Borenstein: The sandpit in the same vain as Dave was just describing there actually is some opportunity for reforestation. Because you have a large cleared sandpit area that is obviously going up for some landscaping that is highly likely for some reforestation for those lots that are not necessary for the single-family homes. As far as extending the road...when we came before the City Council before they made clear to us by abutters on the Haverhill side of Brandy Brow Road, they were not in favor of Brandy Brow Road returning to a thru street. There is concern from certainly neighbors about the thru-street aspect. Although the City Council vote would allow either the removal of both or removal of one that was a concern we wanted to take into account. Also there is an issue with the status of the bridge. There is a bridge at the Haverhill end that is in some disrepair and apparently a monumental item to address. It would be (inaudible) to rebuild that bridge in total. For those two reasons.

Member Robertson: Thanks for the clarity.

Member Peugh: We received a communication from the Water Department regarding the Millvale Reservoir. I didn't know if you had the opportunity to see that memo, but the Water Department has some significant concerns regarding protecting the City's water supply. I don't know if you had any information that you could share regarding those concerns.

Attorney Borenstein: We did see those comments come in through the portal. That is the nature of this project. You have the push and the pull of the intention of this project is bringing some good development to this road that had some long...relatively abandoned bringing appropriate single-family use and appropriate access and refurbishing this public way to being suitable to that. At the same time respecting the significant concerns of developing in the watershed district. That is the very thing that we will be doing going forward with the city council and conservation commission, of course we will need an order of conditions here and it's the watershed issues that will be discussed and balanced during that process with the city council for sure. We are well aware of those and will be part of our ongoing discussion.

Member Peugh: I know you stated the scope of the project. Is there any opportunity to decrease it any further?

Attorney Borenstein: I think at this point I don't know that there is. I never want to say never to sort of anything on a project because things develop and evolve over the course of the process that is what is meant to happen through these processes. To refurbish that that length of roadway, to put in the significant drainage necessary to protect the watershed, you do need on the income side for the developer to have enough funds to balance that and make it feasible. Part of what we have here is the opportunity for good demand for home sites like this especially now and to do that in way that balances both access and watershed. We are trying to juggle those three things and we think this plan does that and you need the income to support those things like the extra drainage items, width of the roadway. We are hoping to have a robust discussion next week too at the departmental review meeting. We will try to tighten some of those up and respond to the Water Department comments. I think Rob Moore, from Conservation will be in that discussion as well.

Chairman Howard: Any other questions from the board?

Can the public ask questions?

Chairman Howard: We will open it to questions from the public now.

I would like to talk about (inaudible)

Mr. Pillsbury: Excuse me. The rule.... anyone would like to speak please just notify us of your name and address and this particular caller there is something definitely something with the sound. There is a lot of feedback. Please just give us your name and address for the record and try to keep any outside noise around your phone muted as well so you can be heard more clearly.

Ms. Anita Toscano of Brandy Brow Road addressed the board: I am basically ignorant about how to do this. My question is...regarding the 20-year plan that was recently published. The plan was of major importance was to protect the environment areas in Haverhill. That development was to be done more inner-city, closer to walking distance to town. There is not that much conservation land left of which this does abut. Watershed areas and conservation areas were changed to be a prime area to keep pristine of the way they were in Haverhill. This is such a valuable and critical part of the watershed and I don't see where this plan should be able to fly. I know Haverhill doesn't have a lot of money, but this is one of the areas that they should purchase rather than put any houses in there. I guess that is my opinion. I don't support it at all.

Chairman Howard: Duly noted.

Ms. Christine Kwitchoff of 14 Colby's Lane addressed the board: I would like to echo some of the comments that have been previously made by Nate and the Water and Conservation Department. I just want to start by saying an observation. During last night's city council meeting the city agreed to the order of taking 25 acres of land that is owned by the same D&D Realty Trust on Old Groveland Bridge Road for the protection of watershed purposes. During that meeting it was stated that 70% of our water supply comes from the East Meadow River of which Old Groveland Bridge Road directly abuts. Brandy Brow Road the property that is being discussed tonight also abuts the East Meadow River. The worst threat to our water supply is development. If we want to protect our water, we need to protect our land. It was really interesting to learn at the City Council meeting that the city allocated \$272,000 for the purchase of Old Groveland Bridge Road. In the end the price was reduced to \$41,000.00 to comply with city charter requirements. The city got a pickup of \$231,000.00 as a result of that revision.

So this is my question and suggestion because I do oppose this project. Water supply protection is identified as a concern and challenge during the MVP workshop that took place in June 2020. Giving the importance of this irreplaceable water supply on Brandy Brow Road can we purchase this property in the same way we purchased Old Groveland Bridge Road. We could use the pickup of the \$231,000.00 that we got from Old Groveland Bridge Road. We could apply for a land grant, and a drinking water supply grant. Between those grants and the pickup from Old Groveland Bridge Road can we cobble something together and preserve this as valuable watershed. That is what I would like us to consider. Thank you.

Chairman Howard: Thank you. Anyone else that wishes to speak?

Mr. David Lescizka, Sr. of 153 Corliss Hill Road addressed the board: my main concern is if they go through with this...I don't like it that they are just stopping...(inaudible) obviously Corliss Hill is on the Plaistow side. My house is the last house on Corliss Hill and I actually have an easement with the electric company that they use to go across my land for the four houses that are on Brandy Brow. If they do fully develop Brandy Brow, Mass Electric is supposed to take that underground system and replace it. I would assume they would come in from the east side. With 11 more houses...I mean we have a hard-enough time up here on Corliss Hill and I am sure Brandy Brow too when we lose our electricity. I am worried from that concern. Also, without opening that road the whole way I would find it hard for the houses if they do get put in...the houses further down to be able to get out. I think it's easier to go out in the direction of Whittier Vo-tech in that area. That's my opinion.

Chairman Howard: Okay, we can note that.

Mr. Bill Briggs of Corliss Hill Road addressed the board: I agree with the previous statements and I just wanted to reiterate that I have concerns with this wetland area. With more and more residents being added in that area it slowly eats away at the watershed. It's kind of dying by inches you might say. These proposed lots appear to take a sizable chunk of that area. The developers may be working some protections of the watershed into their plan but how much is too much. There has been development on the upper end of Corliss Hill and Brandy Brow. These waterways lead into Kenoza Lake. I question whether continuing developments up in that area should be allowed. It was also mentioned by one of the board members that he would hate for that area to be clear-cut. It's a significant area of open space in Haverhill. It should be preserved. Other developments have attempted in this area in the past and Haverhill has rightly, in my opinion rejected them because of these concerns. I would ask that you strongly take that into consideration. Thank you.

Chairman Howard: Thank you. Anyone else who wishes to speak?

Mr. Eric Klimas of 3 East Meadow Drive addressed the board. I am almost at the end of the gate. Across the street from my house, I don't know if you realized...the town of Haverhill back in 1905-07 bought about 70 acres from Merrimac. They spent a lot of money to preserve that area for that watershed. I understand what everyone else is saying but the problem is you have the pond out here that leads into East Meadow Drive culvert. I know someone earlier said something about opening up the road and doing that...I think you have to keep this side shut because you already have access coming from that other side. It is easier for both the Fire and Police Department to get from that side. Allowing that you cross East Meadow Drive, cars, trucks, construction vehicles, etc. etc. You are going to bring a lot of (inaudible) watershed. Those people were smart enough to buy that land down here because they knew it would be valuable down the line. If we now start opening the road and letting traffic, go



through as well as allow development we are putting ourselves in a real tough position here. They didn't buy that for no reason. They bought it from Merrimac for a reason. That was to protect that initial start of where East Meadow River goes and cuts across. Also, that cu-de-sac is in tough shape. It's going to cost anywhere \$400,000-\$500,000 to pull out that culvert, redo it again. Is it necessary for 11 houses that will now turn into a freeway. Hopefully in the long run you will keep the road closed and come from the other side. This side here...everybody is used to it. It has been 20 years and everybody is used to the traffic.... the least amount of traffic you will save this wetland. I know sometimes your hands are tied because of a Form A but at that point also make sure you control what can happen with this gate. Only one side should open up. There is really no reason for traffic to go all they way through. It's only going to aggravate and cause more trash. It will probably keep the cost to the City down by not opening this side. Pretty much a lot of this area is wondering...two dead ends will be a nice little neighborhood. David I know that you were suggesting not to go through with that gate hopefully you stay with that and keep it that way. I think that would work for both neighborhoods. I think that would be beneficial as well as for the watershed. Thank you.

Chairman Howard: Anyone else wish to speak?

Mr. Richard Corielle of 380 Brandy Brow Road addressed the board. Good evening, everyone. I am interested in knowing as part of the site improvement being a life safety concern. That is whether street lighting is intended to be provided along Brandy Brow Road. Which would now be the west end of Brandy Brow Road. I am not sure if the board members are aware but currently there are no streetlights for the four residential homes at the west end of Brandy Brow Road. I just wanted to know if street lighting would now be provided since we are going to be introducing more car traffic and foot traffic. Secondly, looking at the site plan and it was explained that there is a proposal to have two cul-de-sacs (turn-around) as part of the roadway which I think would certainly be necessary. I would like to know if the rubbish disposal company could confirm that they could use that turn around to pick the trash around the west end of the residential homes on Brandy Brow. Not sure if the board members are aware those four residential properties on the west end of Brandy Brow have to bring their trash and recycling up to the top of the street each and every week. I don't think potential for 16 residences now would be to happy if that were the case at the end of each week. Thirdly, there is proposed construction berm at the construction exit for the 11 homes along the roadway. I believe in the summary description it states that this construction berm will be maintained. I would just like to make sure that it is indeed maintained and enforced if necessary. Building my home on that road I know how much of a mess the construction of one home can create on a roadway. I can only imagine how much a mess can be created with the construction of 11 homes and a roadway as well. I would say if those items could be addressed, I would have no objections to recommending an approval for this special permit. Thank you.

Chairman Howard: Anyone else from the public wish to speak?

Mr. Michael McCarthy of 288 Brandy Brow Road addressed the board: I am concerned about...I am the last house right before the gate where the bridge is. There is a tributary that goes right underneath that. I think opening that up is just going to create all kinds of havoc for the watershed. That seems to be one of the main feeds...or exits for the pond. My concern would be opening up that road on that end. I wouldn't be in favor of that. That's all I have to say. Thank you.

Chairman Howard: Anyone else wish to speak?

Mr. Jack Roy of Brandy Brow Road addressed the board. I am one of Michael's neighbors. I do get people here thinking its 380 so I do have to send them up to your house for deliveries (just so you know). Anyway, yes, I remember all the issues that have been discussed. Just a few things...yes that bridge has been condemned. I believe by one of the building inspectors and I think someone from Mass Highway came out once and looked at it and just shook his head. The bridge goes over East Meadow Brook. I know for everybody that doesn't realizes there is a bridge there. Its hard to see because its blocked off and it is in disrepair. That is why the took the city's compost pit out of there many years ago because they were worried about the bridge collapsing. As far as the water shed is concern it would be wonderful if the city purchased this land many years ago like it was suggested. When we first went before the Planning Board way back when in the original plan. That was a suggestion. The other suggestion was also a cul-de-sac which I appreciate that being put in the plan now. Eric Klimas who spoke before was the one who (inaudible).

Mr. Pillsbury: Can I interrupt for one second sir. If you are online and you are waiting to be heard. Please mute your phone so the gentlemen that is speaking or whoever has the floor can be heard. We are starting to get some conflict. Please mute your phone if you are not speaking.

Mr. Jack Roy continued speaking. The environmental concerns are real. We still have dumping down here. Over the summer we experienced dumping. We experienced hypodermic needles by the 100's. I had to call the police chief to get him involved. The other day I was out in the old compost pit and somebody threw a propone tank in east meadow brook. Of course everyone knows we have a serious amount of four-wheeling out there. As a matter of fact it's on facebook pages all over New England. That's what the police department has told me. I don't know if its feasible I hope the city does what a couple of the callers suggested before, getting grants and buying the land. I kind of doubt it at this point. With that said if it can't be done it seems as though they have done a great job in trying to mitigate the environmental concerns. Some folks on the board had concern about clear-cutting The houses out there now we only use about  $\frac{3}{4}$  of an acre – 1 acre of our lot. They are about 3-4 acre lots. Some are even larger. The rest of the lots are wooded and are wetlands and for the most part unusable. At this point, I don't favor opening the road as a through road and I know you haven't suggested that. I don't know what the avenue of what that would be. Would it be this board or city council to actually officially discontinue the road. In some spots on Brandy Brow Road, the road is very narrow. That would entail a lot of issues with 2-way traffic. Secondly, its actually shorter coming up Route 108 to that area. I actually scoped it out with mileage. That is the shortest route. With that said, that is some of the stuff that has gone on and is going on so everyone knows. I thank you for the opportunity to speak on this project.

Chairman Howard: Anyone else wish to speak? Hearing none Is there anything the applicant wants to say in rebuttal?

Attorney Borenstein: Thank you, Mr. Chairman. I appreciate the comments of the neighbors and abutters to the project. There are issues that we have heard and working on and we have made good efforts to address them in the plans. This will be something that we will be continuing to discuss as we move towards to the City Council process. I do appreciate the feedback and input.

Chairman Howard: We will close the public portion of the hearing and turn it over for comments from the Planning Director.

Mr. Pillsbury: As Attorney Borenstein, said in the beginning, this project has been around for quite some time. It has always had a large amount of interest and concern as it has come forward. That obviously continues to be the case now. It is a very sensitive area of the city. It is important that it be protected. Someone mentioned that we did just go through the masterplan and obviously the preservation of open space certainly is one of the core elements of the plan. Especially in these outer-lining areas. As also that is part of the plan is the importance of providing for housing in the best way possible. There is always that balance. That is really what this hearing is all about tonight. It is to open the dialogue and to allow people to be heard from all sides of the issues. For the Planning Board to do that in sense that we are not acting in a way that is making any decisions. The Planning Board's role is to make a recommendation and to incorporate all of the comments that are coming forward from the city departments and all the comments that are heard at this hearing and then package those and submit those to the city council for the deliberation. With that Mr. Chairman, I would recommend from this evening, there are significant concerns raised by the Fire Department, City Engineer, Water/Wastewater Department and Conservation Department. Those are the departments that we head from, some of them unfortunately just as recently as today. That doesn't afford the applicant a chance to react. What I would like the board to do to convey a conditional recommendation to the City Council contingent upon the applicant responding to and addressing both of those terms being very important. Responding to and addressing the comments contained, all the city department letters and also responding to and addressing the comments that have been made this evening at the Planning Board. With all of that I would recommend that we have all those responses provided to the City Council prior to their hearing so they can be acted upon and the information will be available to the public and provided to the city council and part of their agenda. That information would be able to be reviewed before hand by the public. In this particular situation it would be important for us to convey to the council that there are significant number of issues, number of concerns that have to be looked at. More engineering...some requirements of the watershed protection is to make sure that it is properly engineered project. I know Mr. Jordan has done a great job pulling together the engineering but there are a lot of issues that still have to be looked at...Water Department is very concerned. I think there is a lot of issues that need to be looked at before...so that the Council can be properly informed and I think that is our role to help the council to be properly informed for their hearing when they do come together. I would recommend that we make this a conditional recommendation -- condition being that all comments and correspondences from the various city departments and all that was heard this evening will also be responded to and addressed by the applicant prior to the city council hearing.

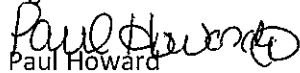
Chairman Howard: Thank you, Bill. Do we have a motion?

Member Karen Buckley motioned to make a favorable conditional recommendation to the City Council as recommended by the Planning Director, William Pillsbury. The condition being the inclusion of all the comments/letters from city departments and all that was heard this evening will also be responded to and addressed by the applicant prior to the city council hearing. Member William Evans seconded the motion.

Chairman Paul Howard-yes  
Member Robert Driscoll-abstain  
Member Ismael Matias-yes  
Member Kenneth Cram-yes  
Member Karen Buckley-yes  
Member Karen Peugh-yes  
Member Nate Robertson-yes  
Member April DerBoghosian, Esq.-yes  
Member William Evans-yes

Motion Passed.

Signed:

A handwritten signature in black ink, appearing to read "Paul Howard", is written over the printed name.

Paul Howard  
Chairman

Attachments: City Department Letters

Cc: Special permit Brandy Brow Road  
City Engineer-John Pettis-email  
City Departments

**City Councilor E Review**

Review

**City Councilor F Review**

Review

**City Councilor G Review**

Review

**City Councilor H Review**

Review

**City Councilor I Review**

Review

**City Council Meeting**

Review

**Meeting Minutes & Decision Filed w/City Clerk**

Review

**Police Department Review**

## Assignee

Robert Pistone

## Due date

 None

This step was assigned to Robert Pistone - Dec 29, 2020 at 10:08am  
Robert Pistone approved this step - Dec 30, 2020 at 12:34pm

**City Councilor E Review**

Review

**City Councilor F Review**

Review

**City Councilor G Review**

Review

**City Councilor H Review**

Review

**City Councilor I Review**

Review

**City Council Meeting**

Review

**Meeting Minutes & Decision Filed w/City Clerk**

Review

**Fire2 Department Review**

Assignee

Michael Picard

Due date



None

**Michael Picard** ✓

Remove Comment • Jan 8th 2021, 12:17pm

The planning, design and construction of new buildings, renovation of existing buildings and structures to provide egress facilities, fire protection and built-in fire protection equipment shall be in accordance with 780 CMR; and any alterations, additions or changes in buildings required by the provisions of 527 CMR which in the scope of 780 CMR, 9th edition, shall be made in accordance therewith. (527 CMR 1.04(4) and 780 CMR 101.2). Additionally, 780 CMR (901.2.1) Document Submittal Process will be required.

Plans approved by the fire department are approved with the intent they comply in all respects to MSBC, 780 CMR 527 CMR 1.00, MGL Chapter 148 and any City of Haverhill ordinance. Any omissions or errors on the plans do not relieve the applicant of complying with applicable requirements.

-NFPA 13D compliant system will be required in dwellings

According to the City of Haverhill Subdivision Rules and Regulations:

-A Turn-around must be provided every 800'- Applicants submitted plan does not accommodate for this provision

-Road way width should be 28' wide- applicant proposes a road width of 24'. Local road paved widths requirements are a 28-foot width and this requirement should not be waved

-Driveways must be constructed to the city of Haverhill driveway standard. Maximum driveway grade should be no greater than 15 percent- Applicant does not provide information on driveway grades or note the city standard

Additionally fire department has the following serious concerns:

There must be a balance between the City of Haverhill Water Shed Regulations and the Urban-Wildland Interface requirements that provide a balance between property protection and environmental protection. Without a continuous water supply source in the immediate area, there is a serious concern relating to property and environment fire protection requirements.

Expect a delay in firefighting operations due to response times and lack of City water (fire hydrants/ continuous water supply)

The Emergency response through New Hampshire, traversing along Route 108, needs to be evaluated for any liability issues associated with an interstate response.

Firefighting efforts will need to be assisted by the use of the Fire department tanker truck (currently not manned) or by mutual aid from nearby towns (establishment of a automatic mutual aid response by neighboring community with water shuttle operation capability).

Michael Picard approved this step - Jan 8, 2021 at 12:17pm



**City Councilor E Review**

Review

**City Councilor F Review**

Review

**City Councilor G Review**

Review

**City Councilor H Review**

Review

**City Councilor I Review**

Review

**City Council Meeting**

Review

**Meeting Minutes & Decision Filed w/City Clerk**

Review

**Conservation Department Review**

Assignee

Robert Moore

Due date



None

**Robert Moore** ✓

Remove Comment • Jan 11th 2021, 4:09pm

This land is in the heart of the East Meadow River watershed. This watershed feeds Millvale Reservoir and, thus, the City of Haverhill with the majority of its drinking water.

The application offers the Zoning Ordinance and Master Plan find it "essential or desirable to the convenience and welfare of the residents of the City of Haverhill that the Project Site be developed with single-family homes". I disagree. The Zoning Ordinance that was being reviewed at the time of this filing (and was subsequently approved) PROHIBITS the construction of single-family homes in this zone in the by-right fashion proposed. Furthermore, I do not see this site nor its adjacent areas specifically identified for development in the Master Plan ("MP"). The MP promotes growth in our industrial areas, growth in our downtown and riverfront areas, and the establishment and expansion of village centers - none of which exist at or near the

Project Site. As for Housing, the MP specifically "recommends focusing on the 'missing middle' housing development: including townhomes, side-by-side houses, and small multi-family buildings designed to support the City's changing demographics." The applicant's project may very well be the polar opposite of this focus. As for rural areas, such as this Project Site, the MP goes further in saying the MP "seeks to minimize the new environmental footprint, encourage sustainable construction, and not impact Haverhill's existing protected watershed." The Applicant's proposal does not align with any of these goals.

Yes, minimizing our "environmental footprint" and maintaining watershed land in a healthy, natural state is the best way to protect water quality. Protecting water at the source reduces treatment costs for our residents and minimizes the risk of contamination. I do NOT recommend approval of the proposed development. Rather, I recommend the City PURCHASE the Project Site.

LINDA KOUTOULAS assigned this step to Robert Moore - Oct 31, 2020 at 4:13pm  
Robert Moore approved this step - Jan 11, 2021 at 4:09pm

**City Councilor E Review**

Review

**City Councilor F Review**

Review

**City Councilor G Review**

Review

**City Councilor H Review**

Review

**City Councilor I Review**

Review

**City Council Meeting**

Review

**Meeting Minutes & Decision Filed w/City Clerk**

Review

**Storm Water Review**

## Assignee

Robert Moore

## Due date



None

**Robert Moore** ✓

Remove Comment • Jan 11th 2021, 4:10pm

This land is in the heart of the East Meadow River watershed. This watershed feeds Millvale Reservoir and, thus, the City of Haverhill with the majority of its drinking water.

The application offers the Zoning Ordinance and Master Plan find it "essential or desirable to the convenience and welfare of the residents of the City of Haverhill that the Project Site be developed with single-family homes". I disagree. The Zoning Ordinance that was being reviewed at the time of this filing (and was subsequently approved) PROHIBITS the construction of single-family homes in this zone in the by-right fashion proposed. Furthermore, I do not see this site nor its adjacent areas specifically identified for development in the Master Plan ("MP"). The MP promotes growth in our industrial areas, growth in our downtown and riverfront areas, and the establishment and expansion of village centers - none of which exist at or near the

Project Site. As for Housing, the MP specifically "recommends focusing on the 'missing middle' housing development: including townhomes, side-by-side houses, and small multi-family buildings designed to support the City's changing demographics." The applicant's project may very well be the polar opposite of this focus. As for rural areas, such as this Project Site, the MP goes further in saying the MP "seeks to minimize the new environmental footprint, encourage sustainable construction, and not impact Haverhill's existing protected watershed." The Applicant's proposal does not align with any of these goals.

Yes, minimizing our "environmental footprint" and maintaining watershed land in a healthy, natural state is the best way to protect water quality. Protecting water at the source reduces treatment costs for our residents and minimizes the risk of contamination. I do NOT recommend approval of the proposed development. Rather, I recommend the City PURCHASE the Project Site.

This step was assigned to Robert Moore - Dec 29, 2020 at 10:08am  
Robert Moore approved this step - Jan 11, 2021 at 4:10pm

**City Councilor E Review**

Review

**City Councilor F Review**

Review

**City Councilor G Review**

Review

**City Councilor H Review**

Review

**City Councilor I Review**

Review

**City Council Meeting**

Review

**Meeting Minutes & Decision Filed w/City Clerk**

Review

**Wastewater Review**

Assignee

Robert Ward

Due date



None

**Robert Ward** ✓

Remove Comment • Jan 13th 2021, 10:28am

Septic systems are proposed for the proposed lots. Extending city sewer is not feasible because the nearest existing city sewer is on Amesbury Road near Elliot Street approximately 3.5 miles away.

This step was assigned to Robert Ward - Dec 29, 2020 at 10:08am  
Robert Ward approved this step - Jan 13, 2021 at 10:28am

**City Councilor E Review**

Review

**City Councilor F Review**

Review

**City Councilor G Review**

Review

**City Councilor H Review**

Review

**City Councilor I Review**

Review

**City Council Meeting**

Review

**Meeting Minutes & Decision Filed w/City Clerk**

Review

**Fire1 Department Review**

## Assignee

Eric Tarpy

## Due date



None



Michael Picard ✓

Remove Comment • Jan 8th 2021, 12:18pm

See Fire 2 Comments

This step was assigned to Eric Tarpy - Dec 29, 2020 at 10:08am  
Eric Tarpy approved this step - Jan 14, 2021 at 8:48am

**City Councilor E Review**

Review

**City Councilor F Review**

Review

**City Councilor G Review**

Review

**City Councilor H Review**

Review

**City Councilor I Review**

Review

**City Council Meeting**

Review

**Meeting Minutes & Decision Filed w/City Clerk**

Review

**Health Department Review**

Became active a month ago

Assignee



Mark Tolman ✕

Due date



None

**Mark Tolman** ✓

Remove Comment • Jan 7th 2021, 11:55am

- 1) All lots that are in the area of the Water Shed must be wet-land delineated for septic system placement.
- 2) Currently no official soil / perk testing documentation has been filed.
- 3) No septic system plans have been approved and filed.
- 4) No well permits have been applied for.

This step was assigned to Bonnie Dufresne - Dec 29, 2020 at 10:08am  
Bonnie Dufresne assigned this step to Mark Tolman - Jan 5, 2021 at 4:04pm






# Haverhill

Robert E. Ward, Deputy DPW Director  
Water/Wastewater Division  
Phone: 978-374-2382 Fax: 978-521-4083  
[rward@haverhillwater.com](mailto:rward@haverhillwater.com)

Date: January 13, 2021

To: William Pillsbury, [wpillsbury@cityofhaverhill.com](mailto:wpillsbury@cityofhaverhill.com)  
Planning Director/ Grants Coordinator

From: Robert E. Ward   
Deputy DPW Director

Subject: City Council Special Permit Application  
CCSP-20-5  
Brandy Brow Road

The road and lots proposed for development in this Special Permit application are located within the watershed of the Millvale Reservoir, a primary public water supply for the City of Haverhill providing up to 70 percent of the City's annual water use.

Because of this, the Water Division has a number of concerns with this proposed project relative to protecting Millvale Reservoir. The project is in close proximity to two streams and a water body which are tributary to the East Meadow River, which is the main feed to Millvale Reservoir.

Watershed protection is the first and most fundamental step in protecting drinking water. A protected, healthy watershed results in cleaner water downstream, less stress on the water treatment plant, and reduced treatment costs.

Ultimately, purchasing watershed property is the best way to ensure it remains healthy and is a long-term investment in the health and quality of life for residents of Haverhill.

At this time, the Water Division has not completed its review and will need to more time.

If you have any questions, please do not hesitate to call me at (978) 374-2382.

cc: John D'Aoust, WTP Facility Manager, [jdaoust@haverhillwater.com](mailto:jdaoust@haverhillwater.com)  
Lori Robertson, [lrobertson@cityofhaverhill.com](mailto:lrobertson@cityofhaverhill.com)

JAMES J. FIORENTINI  
MAYOR



**CITY OF HAVERHILL  
MASSACHUSETTS**

11,2,1  
CITY HALL ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
MAYOR@CITYOFHAVERHILL.COM  
WWW.CI.HAVERHILL.MA.US

January 29, 2021

City Council President Melinda E. Barrett & Members of the City Council

**RE: Mayor's Task Force on Public Health**

Dear Madame President and Members of the City Council:

Please be advised that I hereby appoint the following to serve on the Mayor's Task Force on Public Health:

- Dr. John Maddox, MD, Haverhill Public Schools, District Physician
- Katie Vozeolas BSN RN NCSN, Haverhill Public Schools, Director of Health & Nursing Services
- Adrienne Gladden-Young, 63 Juniper Wood Drive, Haverhill

The Haverhill Task Force on Public Health's first mission will be to work to have the COVID-19 vaccine distributed to as many people as possible in the City of Haverhill. These are non-confirming appointments which will take effect immediately and expires on December 31, 2021.

Very truly yours,

James J. Fiorentini  
Mayor

JJF/lyf

JAMES J. FIORENTINI  
MAYOR



**CITY OF HAVERHILL  
MASSACHUSETTS**

11.2.2  
CITY HALL, ROOM 100  
FOUR SUMMER STREET  
HAVERHILL, MA 01830  
PHONE 978-374-2300  
FAX 978-373-7544  
MAYOR@CITYOFHAVERHILL.COM  
WWW.CI.HAVERHILL.MA.US

January 29, 2021

City Council President Melinda E. Barrett & Members of the City Council

**RE: Plug Pond Advisory Committee Appointments**

Dear Madame President and Members of the City Council:

In order to advise the Mayor and the City on the best means of using the grant we just received to enhance Plug Pond, I hereby establish a Plug Pond Advisory Committee. The purpose of this committee is to advise the Mayor, the City Council and the city on best ways to enhance the park.

I appoint the following members of the Plug Pond Advisory Committee:

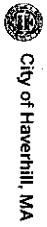
- Maria Betances, 54 Thomas Avenue, Haverhill and
- Victoria Torres, 162 Grove Street, Haverhill

These are non-confirming appointments which will take effect immediately and will expire automatically on January 22, 2023 unless otherwise extended by the Mayor.

Very truly yours,

James J. Fiorentini  
Mayor

JJF/lyf



12,531

01/29/2021

DL-20-17

Drainlayer's License

Status: Active

Date Created: Nov 23, 2020

**Applicant**

Daniel Briscoe  
briscoeservices1@gmail.com  
17 Lindsays Way  
Groveland, MA 01834  
978-375-6465

**Applicant Information**

Drainlayer Application Status  
In Progress

Applicant License Number

Applicant Cellphone  
978-375-6465

License Status  
Active

Applicant Address  
MA

Applicant State  
MA

City Council Approval Date

Business Name

**Business Name**  
Briscoe Services LLC

**Business Address**  
17 Lindsays Way

**Business State**  
MA

**Business Zip**  
01834

**Business Fax**

Yes

**Are You Doing Work on City Property?**

Yes

**Business Phone**  
978-212-2552

**Business City**  
Groveland

**Business Zip**  
01834

**Type of License**  
Renewal

**Taxpayer Identification Number (TIN)**  
81-2345655

**Insurance Information**

**Bond Expiration Date**  
05/29/2023

**Liability Insurance Expiration Date**  
05/26/2021

**Right-of-Way Bond Expiration Date**  
05/29/2021

**Workman's Compensation Expiration Date**  
06/02/2021

**Attachments**

- ☒ Drainlayer bond.PDF  
Uploaded by Daniel Briscoe on Nov 23, 2020 9:28 AM
- ☒ Briscoe Services GL COI - City of Haverhill.pdf  
Uploaded by Daniel Briscoe on Nov 23, 2020 9:28 AM
- ☒ Briscoe Services WC COI - City of Haverhill - 2020-2021 Term.pdf  
Uploaded by Daniel Briscoe on Nov 23, 2020 9:28 AM
- ☒ Street opening bond.PDF  
Uploaded by Daniel Briscoe on Nov 23, 2020 9:29 AM

**History**

Date	Activity
Nov 23 2020 2:22 pm	Daniel Briscoe started a draft of Record DL-20-17
Nov 23 2020 2:22 pm	Daniel Briscoe changed Are You a Licensed Drainlayer? from "No" to "Yes" on Record DL-20-17
Nov 23 2020 2:23 pm	Daniel Briscoe changed License Status from "" to "Active" on Record DL-20-17
Nov 23 2020 2:23 pm	Daniel Briscoe changed Type of License from "New (First Time)" to "Renewal" on Record DL-20-17

3410-ADH301W52M71202

12.5, 3, 2

City of Haverhill, MA

01/29/2021

DL-19-14

Drainlayer's License

Status: Active

Date Created: Jan 14, 2021

**Applicant**

Paul D. Busby  
swormald@busbyconstruction.com  
71 Route 111  
Atkinson, NH 03811  
603-898-4800

**Applicant Information**

Drainlayer Application Status

Approved

Are You a Licensed Drainlayer?

Yes

Applicant License Number

License Type

Applicant Cellphone

603-898-4800

License Expiration Date

License Status

Applicant City

Atkinson

Applicant Address

71 Route 111

Applicant Zip

03811

Applicant State

NH

Do You Work on City Property?

Yes

City Council Approval Date

Business Name

Business Name  
Busby Construction Co., Inc.

Business Phone  
603-898-4800

Business Address  
71 Route 111

Business City  
Atkinson

Business State  
NH

Business Zip  
03811

Business Fax  
603-898-4808

Type of License  
Renewal

Are You Doing Work on City Property?  
No

Taxpayer Identification Number (TIN)  
02-0346848

**Insurance Information**

Bond Expiration Date

12/31/2021

Liability Insurance Expiration Date

06/07/2021

Right-of-Way Bond Expiration Date  
12/31/2021

Workman's Compensation Expiration Date  
06/07/2021

**Attachments**

- ☒ pdf Haverhill Bond.pdf  
Uploaded by Paul D. Busby on Jan 14, 2021 9:09 AM
- ☒ pdf Haverhill Insurance Certificates.pdf  
Uploaded by Paul D. Busby on Jan 14, 2021 9:09 AM
- ☒ pdf Haverhill Insurance Certificates.pdf  
Uploaded by Paul D. Busby on Jan 14, 2021 9:09 AM

**History**

Date	Activity
Dec 02 2020 2:17 pm	Paul D. Busby started a draft of Record DL-19-14
Dec 02 2020 2:18 pm	Paul D. Busby changed Liability Insurance Expiration Date from "06/07/2020" to "06/07/2021" on Record DL-19-14
Dec 02 2020 2:18 pm	Paul D. Busby changed Workman's Compensation Expiration Date from "06/07/2020" to "06/07/2021" on Record DL-19-14
Dec 02 2020 2:18 pm	Paul D. Busby changed Bond Expiration Date from "12/31/2020" to "12/31/2021" on Record DL-19-14
Jan 14 2021 2:11 pm	Paul D. Busby submitted Record DL-19-14

CALL 603-898-4800

12,5,3,3

City of Haverhill, MA

01/29/2021

DL-19-7

Drainlayer's License

Status: Active

Date Created: Dec 02, 2020

**Applicant**

David Deloury  
mdavalala@deloury.com  
100 Burtt Road  
Suite 601  
Andover, MA 01810  
978-475-8153

**Applicant Information**

**Drainlayer Application Status**

Approved

**Are You a Licensed Drainlayer?**

Yes

**Applicant License Number**

**License Type**

**Applicant Cellphone**

978-375-6077

**License Expiration Date**

**License Status**

current

**Applicant City**

Andover

**Applicant Address**

100 Burtt Road

**Applicant Zip**

01810

**Applicant State**

MA

**Do You Work on City Property?**

Yes

**City Council Approval Date**

**Business Name**

**Business Name**  
Deloury Construction

**Business Phone**  
978-475-8153

**Business Address**  
100 Burtt Road

**Business City**  
Andover

**Business State**  
MA

**Business Zip**  
01810

**Business Fax**  
978-475-7177

**Type of License**  
Renewal

**Are You Doing Work on City Property?**  
No

**Taxpayer Identification Number (TIN)**  
04-244-278

**Insurance Information**

**Bond Expiration Date**

11/02/2021

**Liability Insurance Expiration Date**

04/01/2021

**Right-of-Way Bond Expiration Date**  
11/02/2021

**Workman's Compensation Expiration Date**  
02/01/2021

**Attachments**

☒ pdf City of Haverhill.pdf  
Uploaded by David Deloury on Dec 02, 2020 7:34 AM  
☒ pdf City of Haverhill.pdf  
Uploaded by David Deloury on Dec 02, 2020 7:34 AM  
☒ pdf City of Haverhill.pdf  
Uploaded by David Deloury on Dec 02, 2020 7:34 AM

**History**

Date	Activity
Dec 02 2020 12:23 pm	David Deloury started a draft of Record DL-19-7
Dec 02 2020 12:24 pm	David Deloury changed Bond Expiration Date from "09/18/2020" to "09/18/2021" on Record DL-19-7
Dec 02 2020 12:24 pm	David Deloury changed Workman's Compensation Expiration Date from "02/01/2019" to "02/01/2021" on Record DL-19-7
Dec 02 2020 12:24 pm	David Deloury changed Liability Insurance Expiration Date from "02/01/2019" to "02/01/2021" on Record DL-19-7

0110-AHED01W62N91202



City of Haverhill, MA

12,513,4

01/29/2021

DL-20-27

Drainlayer's License

Status: Active

Date Created: Dec 08, 2020

**Applicant**

Thomas Hodgson  
livingstonedev@icloud.com  
PO Box 50  
Tewksbury, Ma 01876  
9788154847

**Applicant Information**

Drainlayer Application Status  
In Progress

Are You a Licensed Drainlayer?  
Yes

Applicant License Number

License Type

Applicant Cellphone

9788154847

License Expiration Date

License Status

Applicant City  
Haverhill

Applicant Address  
PO Box 50

Applicant Zip  
01876

Applicant State  
MA

Do You Work on City Property?  
Yes

City Council Approval Date

Business Name

**Business Name**

Livingstone Dev Corp

**Business Phone**

9788154847

**Business Address**

PO Box 50

**Business City**

Tewksbury

**Business State**

Ma

**Business Zip**

01876

**Business Fax**

978-640-1611

**Type of License**

Renewal

Are You Doing Work on City Property?

No

Taxpayer Identification Number (TIN)

**Insurance Information**

Bond Expiration Date

12/10/2021

Liability Insurance Expiration Date

06/30/2021

Right-of-Way Bond Expiration Date

12/10/2021

Workman's Compensation Expiration Date

12/03/2021

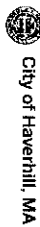
**Attachments**

- ☒ Inscerts2021drainlayers.pdf  
Uploaded by Thomas Hodgson on Dec 08, 2020 6:50 AM
- ☒ Inscerts2021drainlayers.pdf  
Uploaded by Thomas Hodgson on Dec 08, 2020 6:50 AM
- ☒ Inscerts2021drainlayers.pdf  
Uploaded by Thomas Hodgson on Dec 08, 2020 6:50 AM

**History**

Date	Activity
Dec 08 2020 11:11 am	Thomas Hodgson started a draft of Record DL-20-27
Dec 08 2020 11:51 am	Thomas Hodgson submitted Record DL-20-27
Dec 08 2020 11:52 am	completed payment step Drainlayer License Fee on Record DL-20-27
Dec 08 2020 11:52 am	approval step City Clerk Approval was assigned to Judy Siros on Record DL-20-27
Dec 08 2020 1:34 pm	LINDA KOUTOULAS assigned approval step City Council Approval to Judy Siros on Record DL-20-27
Dec 10 2020 7:39 pm	Judy Siros approved approval step City Clerk Approval on Record DL-20-27

CALL 978-640-1611



City of Haverhill, MA

01/29/2021

DL-19-24

Drainlayer's License

Status: Active

Date Created: Dec 07, 2020

### Applicant

Scott Karpinski  
marchese4040@aol.com  
69 Norman Street  
Everett, MA 02149  
6173894040

### Applicant Information

Drainlayer Application Status  
Approved

Are You a Licensed Drainlayer?  
Yes

### Applicant License Number

License Type

### Applicant Cellphone

617-212-1515

License Expiration Date

### License Status

MA

Applicant City  
Everett

Applicant Address  
69 Norman Street

Applicant Zip  
02149

Applicant State  
MA

Do You Work on City Property?  
Yes

### City Council Approval Date

### Business Name

Business Name  
J. Marchese & Sons, Inc.

Business Phone  
6173894040

Business Address  
69 Norman Street

Business City  
Everett

Business State  
MA

Business Zip  
02149

Business Fax  
6173894020

Type of License  
Renewal

Are You Doing Work on City Property?  
No

Taxpayer Identification Number (TIN)  
042759455

### Insurance Information

Bond Expiration Date

08/10/2021

Liability Insurance Expiration Date  
03/31/2021

Right-of-Way Bond Expiration Date  
08/10/2021

Workman's Compensation Expiration Date  
03/31/2021

### Attachments

- [pdf](#) City of Haverhill Drain Bond.pdf  
Uploaded by Scott Karpinski on Dec 07, 2020 11:47 AM
- [pdf](#) ACORD Form 20201207-115656.pdf  
Uploaded by Scott Karpinski on Dec 07, 2020 12:39 PM
- [pdf](#) ACORD Form 20201207-115656.pdf  
Uploaded by Scott Karpinski on Dec 07, 2020 12:38 PM

### History

Date	Activity
Dec 03 2020 4:43 pm	Scott Karpinski started a draft of Record DL-19-24
Dec 03 2020 5:10 pm	Scott Karpinski changed Liability Insurance Expiration Date from "03/31/2020" to "03/31/2021" on Record DL-19-24
Dec 03 2020 5:10 pm	Scott Karpinski changed Workman's Compensation Expiration Date from "03/31/2020" to "03/31/2021" on Record DL-19-24
Dec 07 2020 4:46 pm	Scott Karpinski changed Bond Expiration Date from "08/10/2020" to "08/10/2021" on Record DL-19-24
Dec 07 2020 5:39 pm	Scott Karpinski submitted Record DL-19-24

0110 AM 12/07/2020 11:20:27





City of Haverhill, MA

12,536

01/29/2021

## DL-19-16

Drainlayer's License

Status: Active

Date Created: Nov 27, 2020

### Applicant

Fred Ramey  
dlgg25@aol.com  
45  
Mill rd  
Kingston, NH 03848  
5085094314

### Applicant Information

Drainlayer Application Status  
In Progress

Applicant License Number

Applicant Cellphone  
508-509-4314

License Status

Applicant Address  
45 Mill Road

Applicant State  
New Hampshire

City Council Approval Date

Business Name

3410-AMC01M82HVT1202

Business Name  
F & S Construction, LLC

Business Phone  
603-642-4757

Business Address  
45 Mill Road

Business City  
Kingston

Business State  
New Hampshire

Business Zip  
03848

Business Fax  
603-642-4757

Type of License  
Renewal

Are You Doing Work on City Property?  
Yes

Taxpayer Identification Number (TIN)  
04-3386425

### Insurance Information

Bond Expiration Date  
12/31/2021

Liability Insurance Expiration Date  
01/09/2021

Right-of-Way Bond Expiration Date  
12/31/2020

Workman's Compensation Expiration Date  
01/14/2021

### Attachments

- ☒ PDF F&S - Haverhill COI.PDF  
Uploaded by Jayne Ramey on Nov 23, 2020 10:51 AM
- ☒ PDF F&S - Haverhill COI.PDF  
Uploaded by Jayne Ramey on Nov 23, 2020 10:50 AM
- ☒ PDF F&S - Haverhill COI.PDF  
Uploaded by Jayne Ramey on Nov 23, 2020 10:50 AM
- ☒ PDF F&S - Haverhill COI.PDF  
Uploaded by Jayne Ramey on Nov 23, 2020 10:52 AM
- ☒ PDF F&S - Haverhill COI.PDF  
Uploaded by Jayne Ramey on Nov 23, 2020 10:50 AM

### History

Date	Activity
Nov 20 2020 2:32 pm	Jayne Ramey started a draft of Record DL-19-16
Nov 20 2020 2:33 pm	Jayne Ramey changed Business Fax from "" to "603-642-4757" on Record DL-19-16



City of Haverhill, MA

12.5.3.7

01/29/2021

DL-20-16

Drainlayer's License

Status: Active

Date Created: Dec 05, 2020

Applicant

John Russo  
john@jrandsonconstruction.com  
4 Hallberg Park  
North Reading, MA 01864  
7818448121

Applicant Information

Drainlayer Application Status  
In Progress

Are You a Licensed Drainlayer?

Yes

Applicant License Number

License Type

Applicant Cellphone

7818448121

License Expiration Date

License Status

Applicant City  
North Reading

Applicant Address  
4 Hallberg Park

Applicant Zip  
01864

Applicant State  
MA

Do You Work on City Property?  
No

City Council Approval Date

Business Name

Business Name

J.R. and Sons Construction, Inc.

Business Phone

9786640753

Business Address

4 Hallberg Park

Business City

North Reading

Business State

MA

Business Zip

01864

Business Fax

Type of License  
Renewal

Are You Doing Work on City Property?

No

Taxpayer Identification Number (TIN)  
04-3530380

Insurance Information

Bond Expiration Date

06/01/2021

Liability Insurance Expiration Date

07/06/2021

Right-of-Way Bond Expiration Date

06/01/2021

Workman's Compensation Expiration Date

07/06/2021

Attachments

☐ Haverhill Bond.pdf

Uploaded by John Russo on Dec 05, 2020 1:40 PM

☐ Haverhill Insurance Certificate.pdf

Uploaded by John Russo on Dec 05, 2020 1:40 PM

☐ Haverhill Insurance Certificate.pdf

Uploaded by John Russo on Dec 05, 2020 1:40 PM

History

Date	Activity
Dec 05 2020 6:39 pm	John Russo started a draft of Record DL-20-16
Dec 05 2020 6:39 pm	John Russo changed Are You a Licensed Drainlayer? from "No" to "Yes" on Record DL-20-16
Dec 05 2020 6:39 pm	John Russo changed Type of License from "New (First Time)" to "Renewal" on Record DL-20-16
Dec 05 2020 6:41 pm	John Russo submitted Record DL-20-16
Dec 05 2020 6:43 pm	completed payment step Drainlayer License Fee on Record DL-20-16
Dec 05 2020 6:43 pm	approval step City Clerk was assigned to LINDA KOUTOULAS on Record DL-20-16

0113.0016401782NW1702

12,538

City of Haverhill, MA

01/29/2021

55897

Drainlayer's License

Status: Active

Date Created: Nov 20, 2020

**Applicant**

Michael McCarthy  
mccarthybros@earthlink.net  
483 Nashua Road  
Dracut, MA 01826  
508-320-3770

**Applicant Information**

**Drainlayer Application Status**  
In Progress

**Are You a Licensed Drainlayer?**  
Yes

**Applicant License Number**  
142197

**License Type**  
Home Improvement Contractor

**Applicant Cellphone**  
508-735-3770

**License Expiration Date**  
06/30/2020

**License Status**  
Current

**Applicant City**  
Dracut

**Applicant Address**  
483 Nashua Rd

**Applicant Zip**  
01826

**Applicant State**  
MA

**Do You Work on City Property?**  
Yes

**City Council Approval Date**

**Business Name**

3A1D34H4C401W6B2M4T120C

**Business Name**

McCarthy Brothers General Contracting

**Business Phone**

508-320-3770

**Business Address**

483 Nashua Road

**Business City**

Dracut

**Business State**

MA

**Business Zip**

01826

**Business Fax**

**Type of License**

Renewal

**Are You Doing Work on City Property?**  
Yes

**Taxpayer Identification Number (TIN)**  
04-3064576

**Insurance Information**

**Bond Expiration Date**

08/07/2021

**Liability Insurance Expiration Date**

06/10/2021

**Right-of-Way Bond Expiration Date**

08/07/2021

**Workman's Compensation Expiration Date**

07/27/2021

**Attachments**

- ☐ pdf Bond - Haverhill.pdf  
Uploaded by Michael McCarthy on Nov 20, 2020 1:04 PM
- ☐ pdf d\_Cert Ins - Haverhill.pdf  
Uploaded by Michael McCarthy on Nov 20, 2020 1:03 PM
- ☐ pdf d\_Cert Ins - Haverhill.pdf  
Uploaded by Michael McCarthy on Nov 20, 2020 1:03 PM
- ☐ pdf Bond - Haverhill.pdf  
Uploaded by Michael McCarthy on Nov 20, 2020 1:03 PM

**History**

Date	Activity
Nov 20 2020 1:36 pm	Michael McCarthy started a draft of Record 55897
Nov 20 2020 1:40 pm	Michael McCarthy changed Do You Work on City Property? from "" to "No" on Record 55897
Nov 20 2020 1:40 pm	Michael McCarthy changed Do You Work on City Property? from "No" to "Yes" on Record 55897

**CITY COUNCIL**

**MELINDA E. BARRETT**

***PRESIDENT***

**COLIN F. LEPAGE**

***VICE PRESIDENT***

**JOSEPH J. BEVILACQUA**

**JOHN A. MICHITSON**

**THOMAS J. SULLIVAN**

**TIMOTHY J. JORDAN**

**MICHAEL S. MCGONAGLE**

**MARY ELLEN DALY O'BRIEN**

**WILLIAM J. MACEK**



**CITY OF HAVERHILL**

**HAVERHILL, MASSACHUSETTS 01830-5843**

15,1

CITY HALL, ROOM 204

4 SUMMER STREET

TELEPHONE: 978 374-2328

FACSIMILE: 978 374-2329

[www.cityofhaverhill.com](http://www.cityofhaverhill.com)

[citycncl@cityofhaverhill.com](mailto:citycncl@cityofhaverhill.com)

January 25, 2021

TO: Members of the City Council:

President Barrett requests to have the Parking Commission review the parking spaces in the Goecke Parking Garage resulting from the closure of the VA clinic on Merrimack Street.

Council President Melinda Barrett

**CITY COUNCIL**

**MELINDA E. BARRETT**  
*PRESIDENT*  
**COLIN F. LEPAGE**  
*VICE PRESIDENT*  
**JOSEPH J. BEVILACQUA**  
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**WILLIAM J. MACEK**



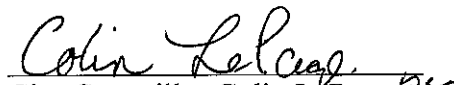
**CITY OF HAVERHILL**  
HAVERHILL, MASSACHUSETTS 01830-5843

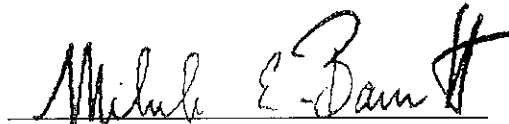
15.2  
CITY HALL, ROOM 204  
4 SUMMER STREET  
TELEPHONE: 978 374-2328  
FACSIMILE: 978 374-2329  
www.cityofhaverhill.com  
citycncl@cityofhaverhill.com

January 29, 2021

TO: President and Members of the City Council:

Vice President LePage and President Barrett request an update from the Mayor on the proposed mixed-use development project at 14 Stevens St

  
City Councillor Colin LePage

  
Council President Melinda Barrett

**CITY COUNCIL**

**MELINDA E. BARRETT**

***PRESIDENT***

**COLIN F. LEPAGE**

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**CITY OF HAVERHILL**

**HAVERHILL, MASSACHUSETTS 01830-5843**

15.3

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[www.cityofhaverhill.com](http://www.cityofhaverhill.com)  
[citycncl@cityofhaverhill.com](mailto:citycncl@cityofhaverhill.com)

January 29, 2021

TO: President and Members of the City Council:

Councillor Macek requests a discussion on parking space requirements per zoning regulations throughout the City.

  
City Councillor William J. Macek

**CITY COUNCIL**

**MELINDA E. BARRETT**

***PRESIDENT***

**COLIN F. LEPAGE**

***VICE PRESIDENT***

**JOSEPH J. BEVILACQUA**

**JOHN A. MICHITSON**

**THOMAS J. SULLIVAN**

**TIMOTHY J. JORDAN**

**MICHAEL S. MCGONAGLE**

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**WILLIAM J. MACEK**



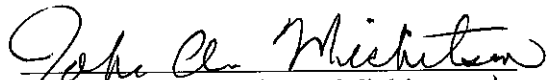
**CITY OF HAVERHILL**  
**HAVERHILL, MASSACHUSETTS 01830-5843**

154  
CITY HALL, ROOM 204  
4 SUMMER STREET  
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[citycncl@cityofhaverhill.com](mailto:citycncl@cityofhaverhill.com)

January 29, 2021

TO: President and Members of the City Council:

Councillor Michitson wishes to address House Bill 663 "An Act protecting internet access during the COVID-19 pandemic".

  
City Councillor John A. Michitson

3-C



DOCUMENT 3-C

# CITY OF HAVERHILL

In Municipal Council January 26 2021

ORDERED:

16.1

2021 JAN 22 AM 10:53 AM CMC

MUNICIPAL ORDINANCE

CHAPTER 240

## AN ORDINANCE RELATING TO PARKING

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, as amended, be further amended by ADDING the following in § 240-85 Schedule B: Parking Restrictions and Prohibitions:

LOCATION	REGULATION	HOURS/DAYS
Summer Street In front of No. 103 except For 1-24 hour handicap Parking space at No. 103 Summer Street	No Parking	24 hours

APPROVED AS TO LEGALITY:

\_\_\_\_\_  
City Solicitor

PLACED ON FILE for at least 10 days

Attest:

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





# Haverhill

Engineering Department, Room 300  
Tel: 978-374-2335 Fax: 978-373-8475  
John H. Pettis III, P.E. - City Engineer  
[JPettis@CityOfHaverhill.com](mailto:JPettis@CityOfHaverhill.com)

January 22, 2021

**MEMO TO: CITY COUNCIL PRESIDENT MELINDA BARRETT AND  
MEMBERS OF THE CITY COUNCIL**

---

Subject: *58 Webster Street & 103 Summer Street, Establish Handicap  
Parking*

As requested, see attached ordinances for handicap spots at the subject locations. Please contact me if you have any questions.

Sincerely,

John H. Pettis III, P.E.  
City Engineer

C: Mayor Fiorentini, Stankovich, DeNaro, Pillsbury, Cox



DOCUMENT 3-D

## CITY OF HAVERHILL

In Municipal Council January 26 2021

ORDERED:

16.2  
2021 JAN 22 AM 10:53 AM CITY CLERK

MUNICIPAL ORDINANCE

CHAPTER 240

### AN ORDINANCE RELATING TO PARKING

BE IT ORDAINED by the City Council of the City of Haverhill that the Code of the City of Haverhill, Chapter 240, as amended, be further amended by ADDING the following in § 240-85 Schedule B: Parking Restrictions and Prohibitions:

LOCATION	REGULATION	HOURS/DAYS
Webster Street In front of No. 58 except For 1-24 hour handicap Parking space at No. 58 Webster Street	No Parking	24 hours

APPROVED AS TO LEGALITY:

\_\_\_\_\_  
City Solicitor

PLACED ON FILE for at least 10 days

Attest:

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



# Haverhill

Engineering Department, Room 300  
Tel: 978-374-2335 Fax: 978-373-8475  
John H. Pettis III, P.E. - City Engineer  
[JPettis@CityOfHaverhill.com](mailto:JPettis@CityOfHaverhill.com)

January 22, 2021

**MEMO TO: CITY COUNCIL PRESIDENT MELINDA BARRETT AND  
MEMBERS OF THE CITY COUNCIL**

**Subject: 58 Webster Street & 103 Summer Street, Establish Handicap  
Parking**

As requested, see attached ordinances for handicap spots at the subject locations. Please contact me if you have any questions.

Sincerely,

John H. Pettis III, P.E.  
City Engineer

C: Mayor Fiorentini, Stankovich, DeNaro, Pillsbury, Cox

## CITY COUNCIL

MELINDA E. BARRETT  
*PRESIDENT*  
 COLIN F. LEPAGE  
*VICE PRESIDENT*  
 JOSEPH J. BEVILACQUA  
 JOHN A. MICHITSON  
 THOMAS J. SULLIVAN  
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 WILLIAM J. MACEK



CITY OF HAVERHILL  
 HAVERHILL, MASSACHUSETTS 01830-5843

1613  
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 4 SUMMER STREET  
 TELEPHONE: 978 374-2328  
 FACSIMILE: 978 374-2329  
 www.cityofhaverhill.com  
 citycncl@cityofhaverhill.com

January 21, 2021

TO: President and Members of the City Council:

Councillor Bevilacqua requests to recognize the COVID Assistance Volunteer Grocery Shopping Program.

*Joseph Bevilacqua*  
 City Councillor Joseph Bevilacqua

IN CITY COUNCIL: January 26 2021  
 POSTPONED TO FEBRUARY 2 2021

Attest:

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

16.4

## CITY COUNCIL

MELINDA E. BARRETT  
 PRESIDENT  
 COLIN F. LEPAGE  
 VICE PRESIDENT  
 JOSEPH J. BEVILACQUA  
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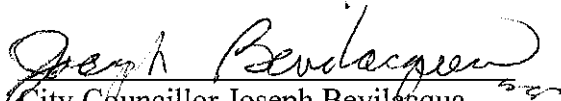
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January 13, 2021

TO: President and Members of the City Council:

Councillor Bevilacqua requests discussion regarding the recently enacted 2 hour Sewerage Notification Bill and its benefit to Haverhill residents and to the Merrimack River.

  
 City Councillor Joseph Bevilacqua

IN CITY COUNCIL: January 26 2020  
 POSTPONED TO FEBRUARY 2 2021  
 Attest:

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

17,1

**PROCLAMATION**  
**BLACK HISTORY MONTH**

**Whereas,** Black History Month was created by Carter Woodson in 1926 to highlight the contributions made to the history of our country that for years had been omitted; and

**WHEREAS,** African Americans have contributed greatly to the success of our country in society, business, government, and the arts and sciences; and

**WHEREAS,** the African American community has endured decades of struggle to be recognized as equal among our fellow citizens; and

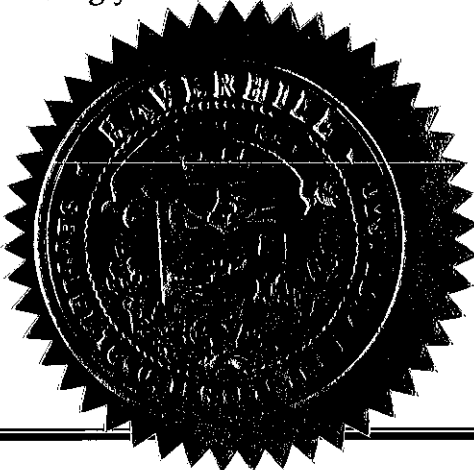
**WHEREAS,** the African American community has persevered through hate and bigotry to stand up for their rights and the basic rights we are all entitled to - life, liberty and the pursuit of happiness; and

**WHEREAS,** during February our nation takes pause to reflect on the injustices and struggles hardly fought and overcome by African Americans throughout our nation's history, and to pay tribute to the battles they have fought in the name of equality;

NOW, THEREFORE, I, JAMES J. FIORENTINI, DO HEREBY PROCLAIM  
February, 2021, as

**BLACK HISTORY MONTH**

And urge all the citizens of Haverhill to take cognizance of this event and participate fittingly in its observance.



IN WITNESS WHEREOF, I here unto  
Set My Hand And Caused The Seal Of  
The City Of Haverhill To Be Affixed This  
2<sup>nd</sup> Day Of February In The Year Of Our  
Lord Two Thousand and Twenty-one.

  
\_\_\_\_\_  
JAMES J. FIORENTINI, MAYOR

## CITY COUNCIL

MELINDA E. BARRETT  
*PRESIDENT*  
COLIN F. LEPAGE  
*VICE PRESIDENT*  
JOSEPH J. BEVILACQUA  
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## CITY OF HAVERHILL HAVERHILL, MASSACHUSETTS 01830-5843

### DOCUMENTS REFERRED TO COMMITTEE STUDY

38-W	Communication from Councillor Barrett requesting to give an update on response from MBTA/Keolis & US EPA about idling trains in Bradford	Citizen Outreach	4/5/16 1/31/17
10-B	Communication from President Michitson asking to request from Mayor status of facility improvements to public buildings and parks to comply with American w/ Disabilities Act (ADA)	Citizen Outreach	1/3/17 1/31/17, 8/15/17
10-U	Communication from President Michitson requesting discussion on next steps to provide comprehensive long range plan for Haverhill	Citizen Outreach	1/31/17 8/15/17, 4/23/18
38-D	Communication from Councillors Sullivan and Barrett requesting an update on City's emergency management plan and status of working generators in all public building in City	Public Safety	3/20/18 1/23/19
13-Y	Communication from Councillor LePage to discuss accounting of revenue funds received from Licensed Marijuana establishments & their allocation to mitigate costs and impacts to city	A & F	3/12/19 8/5/19
79-F	Communication from Councillor Sullivan requesting to introduce Kathleen Fitts, Gale Park Assoc. to request the city replace the Gale Park Fountain in fiscal year 20	NRPP	6/25/19
79-T	Communication from Councillors Sullivan and Barrett re: discussion with VINFEN & Haverhill Police Dept. regarding incident in neighborhood of 20 Westland Ter. group home on 7/5 and steps being taken to better supervise residents and reduce police calls to residence	Public Safety	7/23/19
89-D	Communication from Councillors LePage, Michitson, Jordan requesting discussion on reducing exposure of persons under 21 yrs. of age to outdoor advertising (billboards) of marijuana products and zoning regulations pertaining to smoke and/or vapor stores in Haverhill	A & F	7/23/19 8/6/19
89-K	Communication from Councillor Macek requesting open discussion relative to the process for Establishing a Charter Commission to review the current City of Haverhill Charter	Citizen Outreach A & F	8/6/19
89-U	Communication from Councillor LePage re: applying for Community Compact Best Practices Program grant for benefit of city and its residents	Citizen Outreach A & F	9/17/19
89-V	Communication from Councillor McGonagle requesting a discussion about school bus safety	Public Safety	9/17/19
11	Communication from Councilor Jordan requesting to introduce Steve Costa of Citizens for Haverhill Fire to discuss Mayor's CIP and occupational cancer	Public Safety	1/7/20
34-P	Communication from Councillor Sullivan requesting a discussion regarding the disposal of cremated remains on public property	NRPP	3/17/20
58-M	Communication from Councillors LePage and Daly O'Brien re: the possible use of Hale Hospital Trust Funds for ongoing City health care programs and issues	A & F	4/21/20
55-D	Discussion about removal of the Hannah Duston Statue	NRPP	6/30/20

## **DOCUMENTS REFERRED TO COMMITTEE STUDY**

69-O	Communication from President Barrett and Councillor Sullivan requesting discussion on illegal fireworks in the City	Public Safety	7/28/20
55-D	Communication from Councillor Jordan requesting to introduce Ben Roy to discuss Hannah Duston Statue	NRPP	7/28/20
86-D	Communication from Councillor Michitson requesting to address economic development ideas resulting from the pandemic	Planning & Dev.	8/11/20
86-F	Communication from Council President Barrett and Councillor LePage requesting discussion pertaining to utilization of UV-C disinfection fixtures in public buildings	A & F	8/25/20
89-C	Mayor Fiorentini submits final recommendations of Matrix Company	NRPP	9/15/20
91	Petition from Wady & Jewnifer Grullon requesting to purchase city property that abuts their property at 14 Silver Birch Ln; Assessor's Map 574, Block 1 Lot 7	NRPP	9/15/20
91-B	Petition from the Biggart Family requesting to purchase 2 parcels of land that abuts their property at 30 Belvidere Rd., Assessor's Map 409, Block 114, Lot 9; and Map 409, Block 1A, Lot 1 that includes conservation land, but only the portion zone RMD (Residential Medium Density)	"	9/22/20
86-S	Communication from Councillors LePage, Sullivan and Macek to discuss process for approval Of development projects within the Waterfront District Ch. 255, Article XVI	A & F	10/6/20
55-I	Communication from Council President Barrett and Councillor McGonagle requesting to introduce Don Jarvis, Keith Gopsill and Mike Ingham to discuss becoming a Purple Heart Community	NRPP	12/15/20
91-C	Petition of Michael DeLuca requesting to purchase surplus city land on River St., Map 538, Block 419B, Lots 20, 21, 22, 23	NRPP	12/15/20
4-G	Communication from Councillor LePage re: Rules & Regulations of City Council	A & F	1/12/21
4-I	Communication from Councillor Michitson requesting to address the rising inequities between High and low paid occupations in the United States	Citizen Outreach	1/12/21



**MELINDA E. BARRETT**  
*PRESIDENT*  
**COLIN F. LEPAGE**  
*VICE PRESIDENT*  
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**JOHN A. MICHITSON**  
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CITY OF HAVERHILL  
HAVERHILL, MASSACHUSETTS 01830-5843

38-F	Communication from Councillors Barrett and LePage requesting to discuss double poles in the City A & F	3/15/16, 9/6/16, 11/3/16, 1/17/17, 5/11/17, 10/24/17, 3/6/19
26E	City of Haverhill – Mayor’s Recommendations, Capital Improvement Program – 2016-2020 A & F	5/31/16, 11/3/16, 5/11/2017, 7/25/17, 2/15/18, 3/6/19, 4/17/19
93-L	Communication from President Michitson requesting to introduce Dave Labrode to discuss street tree plantings NRPP	8/7/18, 2/28/19, 2/27/20
38-J	Communication from Councillor Macek requesting a discussion about reserve parking spaces at City Hall designated for Registry of Motor Vehicles NRPP	3/19/19, 2/27/20