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Daniel R. Diodati
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CITY OF HAVERHILL

HAVERHILL, MASSACHUSETTS 01830-5843

MINUTES/SUMMARY OF THE PLANNING AND DEVELOPMENT COMMITTEE MEETING

July 7, 2026

A Planning and Development Committee Meeting was held on Tuesday, July 7, 2026 at 6:00 PM in the City Council Chambers, Room 202

Committee Members Present: Committee Chair, John Michitson, Councilor Melissa Lewandowski, Councilor Devan Ferreira and Councilor Daniel Diodati

Committee Members Absent: Councilor Catherine Rogers

Councilors Present: President Jordan and Councilor LePage

City Officials: Mayor Melinda Barrett, Robert Moore, Conservation Department, Jacki Byerley, Planning Director, City Solicitor Lisa Mead, Fire Chief Chris Cesati

The following items were discussed:

- **Doc. 21-B Motion by Councilor Sullivan to send for further discussion Chapter 255-Zoning Ordinance and Zoning Map – Battery Energy Storage Systems Overlay District (BESS)**

Chair Michitson: Opened the meeting - Battery storage is part of the Commonwealth's clean-energy strategy, but tonight's focus is local: where these systems should be allowed in Haverhill, and under what safeguards. Haverhill's citing criteria should do two things at the same time: preserve a realistic path for BESS so the ordinance does not look like a ban, and steer BESS to the least-risk locations based on objective public safety, environmental, and land-use factors. Before this advances, we need clear answers on what specific citing criteria drove the selection of this overlay area, what alternatives were evaluated, and whether the Fire Department has reviewed it in writing.

Chair Michitson asked if any citizens would like to speak?

Christine Kwitchoff (14 Colby's Lane) addressed the committee. She asked whether the ordinance has been fully reviewed by all departments to ensure it is as strong as possible and requested more transparency on how the proposed district site was selected, suggesting a scoring system to compare alternative locations.

City Solicitor Lisa Mead reviewed the battery energy storage ordinance, highlighting extensive input from city departments. The ordinance includes detailed design, safety environmental, and operational standards, along with enhanced special permit criteria and revised review process that incorporates technical department recommendations before the council issues a decision.

Councilor Diodati asked about the decommissioning plan and financial security requirements, including how future inflation would be addressed. City Solicitor Mead explained that the ordinance follows the Massachusetts DOER model, allowing financial assurance through mechanisms such as bonds or insurance.

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Councilor Ferreira questioned whether the 2025 state model ordinance requires non-PFAS fire suppression materials. City Solicitor Mead said she would review the old drafts and get back to her about that information.

President Jordan and Councilor Lewandowski asked about the city's authority over Battery Energy Storage System (BESS) locations. City Solicitor Mead explained that, without designated zoning districts, BESS facilities could be proposed throughout the city under state law. She noted that establishing an overlay district provides greater local control while still allowing the city to deny a proposal if legitimate safety or regulatory concerns exist.

Councilor Diodati asked who would pay for firefighter training. City Solicitor Mead responded that the requirement could not be included in the ordinance but could potentially be addressed as a permit condition.

Councilor Lewandowski expressed concerns about selecting sites based primarily on conservation constraints, emphasizing that decisions should focus on public safety, health, and welfare. She also asked whether Conservation had reviewed the proposed site. City Solicitor Mead clarified that Conservation reviewed the ordinance but not the specific location.

Vice President Michitson and Fire Chief Chris Cesati discussed the site's evaluation. Chief Cesati said the proposed location met key public safety requirements and agreed to provide those findings in writing. He added that other potential sites were rejected due to residential proximity or inadequate access, and that locations near major transmission lines are generally the most suitable.

Planning Director Jacki Byerley explained that the proposed parcel was selected because of its size, distance from residences, development potential, and helping with potential infrastructure. She noted that the original sites considered were all within business park districts. Vice President Michitson suggested developing a comparison "scorecard" for the sites, while Councilor Lewandowski supported receiving additional information on how the preferred location was selected before moving forward with an overlay district.

The committee continued its discussion of the proposed Battery Energy Storage System (BESS) zoning ordinance, focusing on the site selection process, evaluation criteria, and next steps before forwarding a recommendation to the full City Council.

Attorney Mead explained that the original ordinance was developed in response to interest from potential BESS developers several years ago, beginning with proposals near Farrwood Drive. Since that time, several potential locations have been discussed, including the Rogers property (Boston Road), the Neck Road property, and the current proposed site. Mayor Barrett noted that numerous meetings were held with City departments—including Fire, Police, DPW, Water, Wastewater, and Planning—to review potential sites, although formal meeting minutes were not maintained.

Committee members said that they would like a more comprehensive comparison of all potential sites rather than focusing solely on the currently proposed location. Members requested a comparative evaluation identifying each site's advantages, constraints, and the reasons why certain locations may or

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may not be suitable for battery storage. Suggestions included creating a checklist or "scorecard" using department-specific criteria rather than a numerical ranking system. The discussion also centered on involving department heads in evaluating sites based on their areas of expertise, such as fire safety, water resources, environmental constraints, transportation access, proximity to residential neighborhoods, and public safety considerations.

Several councilors referenced the City's previous process for establishing zoning for medical and recreational cannabis facilities, noting that multiple public meetings, site visits, and extensive public input resulted in a stronger zoning framework. Members suggested a similar approach could be beneficial for evaluating potential BESS locations.

City Solicitor Mead explained that the current ordinance was initially intended as a defensive zoning measure to provide the City with some level of protection while broader discussions continued. She also advised the committee that new state-consolidated permitting requirements are scheduled to take effect on October 1st, making it beneficial for the City to continue advancing its ordinance while still allowing time for additional evaluation.

The committee discussed whether adopting designated locations would strengthen the City's ability to direct future BESS proposals. Environmental considerations were also reviewed, including wetlands, stormwater management, flood storage capacity, wildlife habitat, and developable land within larger parcels. Staff emphasized that although some properties contain significant acreage, only a limited portion may actually be suitable for development due to environmental and regulatory constraints. Committee members agreed that the requested evaluation should consist of department-specific checklists. Vice President Michitson offered to work with the Planning Director and City Solicitor to develop approximately ten common evaluation criteria and prepare a comparative site analysis for committee review.

Councilor Lewandowski motioned Develop department-specific evaluation checklists addressing relevant planning, environmental, infrastructure, and public safety considerations. Vice President Michitson will coordinate with the Planning Director and City Solicitor to prepare the evaluation. Second by Councilor Ferreira.

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