

**HAVERHILL PLANNING BOARD
MEETING MINUTES**

DATE: Wednesday, May 12, 2021

Place: ONLINE MEETING DUE TO COVID-19

Time: 7:00 PM

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

Members Absent: Member Karen Peugh
 Member Kenneth Cram

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

Approval of Minutes: April 14, 2021
April 14, 2021

After board consideration, Member Robert Driscoll motioned to approve the April 14, 2021 meeting minutes. Member Karen Buckley seconded the motion.

Karen Peugh – absent
Bill Evans – yes
Karen Buckley – yes
April DerBoghossian, Esq.- yes
Kenneth Cram – absent
Nate Robertson- yes
Robert Driscoll – yes
Paul Howard – yes
Ismael Matias - yes
Motion Passed.

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Mr. William Pillsbury: Read the conduct of hearings into the record ONLINE VERSION.

Public Hearings:

Definitive Plan for Lot 2A Creek Brook Drive:

William Pillsbury: read the conduct of hearing for online meeting.

This is a very exciting project for the City. We have been involved with this with the end user and the reason why we are here is a company called Edward's Vacuum. They are coming to Haverhill and made a commitment to come to Haverhill. This will bring 250 jobs. It's a very exciting project for us. Larry Beals and his team have been working really hard to bring the project forward and the company wants to move quickly. We are really excited tonight to have this opportunity to do this definitive plan and move the project forward to see some great job creation in the Broadway business park.

Mr. Larry Beals addressed the board. Thank you, Bill. I am going to share my presentation. We have been working closely with Bill and staff and have been working on this project. We have been involved with the freezer storage warehouse, Hans Kissel, I originally got involved with the property when the Wang Laboratories purchased it. What we are talking about tonight is this land outlined in yellow. Originally this land was subdivided with Computer Drive on the bottom connecting to Research Drive. A subdivision was created which is called Creek Brook Drive. That provided frontage to Hans Kissel. The freezer storage has frontage on Creek Brook Drive. This large parcel has its frontage down the cul-de-sac and it included all this land. The industrial driveway located in this area was built to City standards. I am just a small player in a big team comprising of Edwards, Marwick, John Sisk, Marwick is the owner in partnership with Equity Industrial Partners, the contractor of this building is Dacon. I believe they are currently involved with Monarch Building. I may not have my names correct.

Mr. Pillsbury: Monogram Foods.

Mr. Beals: I was on the Monarch site this afternoon.

Mr. Pillsbury: You got the "m" right anyway.

Mr. Larry Beals: As I said, my name is Larry Beals. Matt Casto is one of the design engineers on this project is here tonight as well. We are going up in scale. This is North Broadway on the right-hand side of the drawing. Research Drive is across the bottom of the drawing. Creek Brook Drive brings you near Hans Kissel.

Mr. Pillsbury: Noted Nate Robertson arrived at the meeting. (having internet issues)

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Mr. Larry Beals: When Creek Brook Drive was subdivided initially one of the suggestions which we followed through on they share driveway extension in this area where I have the laser pointer. The purpose of that was to maintain two points of access and egress throughout the entire park. You have two points down on South Broadway (97) and we have no access on North Broadway because that is a residential area. If for some reason Creek Brook Drive was blocked our emergency vehicles could come in on this access easement. That site is currently under construction. That paved roadway has been reconfigured a bit with the development next door. It is being constructed so we maintain the two points of access and egress. Originally it was proposed that it would be single user, single lot and it's a fairly expansive lot. What we found when Edward's came along is that it actually had a requirement for about half the site. What we didn't want to do is strand all of this land up here without any frontage or access. We talked with the Planning Department and suggested that what we should do is to convert the existing industrial driveway into an industrial roadway. Thereby giving us frontage and that would allow us to subdivide this lot. We would have frontage for the rear lot and frontage for the front lot. Going up in scale this is the existing conditions. We do have wetlands here; we have met with the Conservation Commission and we have a hearing tomorrow. It appears that we will be able to close that hearing and obtain permission from the Conservation Commission for the Edward's project. This is our proposed subdivision and we have added some color based on simplifying the discussion. We have existing Creek Brook Drive in this location on the left-hand side. This red color was previously a portion of lot 2 and that is an extension of Creek Brook Drive. That becomes frontage, you can see how the lots work now. The proposed lot 2a-1 has its frontage here and the proposed lot 2a-2 has its frontage here. These lots all comply with lot width, zoning requirements in the subdivision rules and regulations. Since Bill pointed out, I thought it might be useful to give you a perspective of how this subdivision will work. This is actually the Edward's vacuum building. There will be an access point here that will allow trucks to access the truck docks. There are a number of employees who will be working in the building. We have looped fire access around the building, and we have also included an extension of the driveway up into the proposed lot 2a. We need to make sure that you have adequate utilities. This is the utility plan (inaudible) the sewerage orange, the water system is shown in blue, gas is in yellow, telecom and electric are in pink. All utilities are underground, and these utilities are stub to the future lot located uphill of Edward's vacuum. Not particularly pertinent but all the storm water is being managed by the Edward's Vacuum site. This is why we are meeting with the Conservation Commission. This has been peer reviewed and the peer review has been satisfied that this design is in compliance with the city regulations. This is a definitive subdivision, but we thought the board might like to see what the proposed building is going to look like. This is overall an existing condition. You can see the topography across the site. It is sloping downhill and the benefit of subdividing into two is that you get two buildings that work more easily. This is the front portion of the site and the proposed subdivision and this is the rear portion or the uphill portion of the proposed subdivision. With that I feel like I have been

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through a lot of information. I didn't want to drag it out too much. I would be happy to answer any questions.

Mr. Pillsbury: Mr. Chairman do you want to reach out to the public and see if there are any contacts out there.

Chairman Howard: Asked if anyone would like to speak on this project? If you are on the phone press *6 to unmute yourself.

Mr. Pillsbury: Just mention the address again.

Chairman Howard: 0 Creek Brook Drive. Is there anyone from the public who wishes to speak on the project of 0 Creek Brook Drive.

Mr. Rob Heisler of 450 North Broadway addressed the board. I am abutting on the North Broadway side. The proposal shows two lots. What is the proposal/building going to be on the second lot?

Mr. Beals: We don't have a specific building proposed for that lot. I should point out...Are you an abutter to the project?

Mr. Heisler: I am.

Mr. Beals: You live on the uphill side of that?

Mr. Heisler: I do.

Mr. Beal: Would it be helpful if I put the plan back up.

Mr. Heisler: Sure.

Mr. Beal: I will say as a preview that there are fairly large wetland areas between the buildable portion of that uphill lot and your home.

Mr. Heisler: Right now, you are proposing to encroach on the wetlands and that is what this meeting is about. What is to stop you from encroaching further next time.

Mr. Beal: Actually, we are not encroaching on any wetlands. This hearing tonight is a definitive subdivision for the Planning Board is simply determining whether or not our land should be subdivided from one lot into two lots. If and when the uphill lot is developed we have to file with the Conservation Commission and the City of Haverhill Conservation Commission has fairly rigorous requirements that state that you cannot disturb anything within 25' of the wetland, you cannot build within 50' of wetlands, and anything within 100' of the wetland is within that Commission's jurisdiction. There can be no encroachment in those resource areas. In fact, nothing can be done within 25' of them. No buildings can be built within 50' of the wetlands.

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Mr. Heisler: Is there a height limitation?

Mr. Beals: Bill you can help me on this. Is it 60'?

Mr. Pillsbury: I think its 55'. I don't have it in front of me. I can check on that. I don't have my zoning book with me. I can check on that tomorrow to know for sure. I can get back to you.

Mr. Heisler: The buildings that are there now. We can't see them and rarely can we hear them. As long as I don't see it, they are not putting in an incinerator or something that will cause a lot of pollution or if it leaves a smell.

Mr. Pillsbury: That type of use would not be allowed by zoning. Again, as Mr. Beals was mentioning there are a couple of different things that come to light. Any impact on the wetlands is the purview of the Conservation Commission and they are very thorough in their review. At the same time, you have the Building Inspector looking at the use as to whether that use is appropriate for the zone. Again, trying to control buffering and screening is part of the site plan review process for the city. We would make sure that again, through the Conservation Commission process would be aware of the hearing and you would be notified. There would be information on that second lot. I think the quick answer is they don't know who the user is at this time. We do know that Edward's Vacuum is taking the first lot, I don't believe there is any user designated for the second lot.

Mr. Beals: Correct.

Mr. Heisler: This is the first I heard that you were actually subdividing. I knew the other place was scheduled to be built on. I just thought this was going to be unused. The fact that it has been subdivided and there is going to be another building put in there. But you have no plans as to do that now, is that what you are saying?

Mr. Beals: Correct, if it's helpful I could put up a drawing that illustrates it. Would it be helpful for you to have that perspective?

Mr. Heisler: Sure, I looked at the maps that were sent to us certified mail. I got on the town website.

Mr. Beals: If you look at those plans carefully you will see there are two major wetland areas between the second lot and the rear portion of your property. It has to be a football field away. There is quite a bit of wetlands in that area. I have been on the land and have mapped those wetlands out there. Those are wooded wetlands. There are wooded swamps with fairly mature trees. If you think about it, we can't go into the wetlands. We can't go within 25' of them. So, there is a big buffer of vegetation that is protected from the wetland protection act.

Mr. Heisler: (Inaudible) fencing?

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Mr. Beals: I don't think there is fencing on the plan. No.

Mr. Heisler: The other concern is the height. You can be far away but if you are going to put in a 5-story building or something that is going to cause a smell or something. That would be my biggest concern.

Mr. Beals: There are all sorts of regulations, noise, odor, vibration, dust, that is all covered by the zoning. 5 stories are prohibited by the zoning. If you look at the pattern of development in this industrial park everything is single story.

Mr. Heisler: Like the size of Lowes or what is now going to be Amazon or the Target down there.

Mr. Beals: Those are not very tall buildings and are not really an issue. That's the pattern. That is the market. Everything that is built down there will indicate what the future holds for that lot too. Big footprint buildings, not multi-story buildings. If they are multi-story, there is a mezzanine within the building. It doesn't change the height.

Mr. Heisler: It would be equivalent in height to the Amazon Building or the Target there?

Mr. Pillsbury: Right. The former Southwick Building which is now going to be Amazon has a mezzanine in it. That is about the height that you are talking about.

Mr. Heisler: Okay, all right. I'm satisfied. Thank you.

Chairman Howard: Is there anyone else who wishes to speak on this case? We are talking about 0 Creek Brook Drive. If you are on a phone you need to press *6 to unmute yourself. One last call is there anyone from the public who wishes to speak on 0 Creek Brook Drive? Is there any comments from the Planning Board?

Member Nate Robertson: I would like to say something really quickly. I am just really excited to see plans moving forward. I know the city has worked really hard to attract jobs and investments in this area. It has continued to grow and to see this lot moving forward with significant amount of jobs and significant amount of investments is really good. I am happy this is before us tonight.

Mr. Beals: I would like to echo that. The City staff is very good to work with. I have known Bill a long time and he is just terrific everyone knows that. Rob Moore in Conservation is very responsive. I tell you if we ever have a big client, we try to direct them to Haverhill because it is a pleasure to work with them.

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

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Mr. Pillsbury: Again, this is a request for approval of a definitive plan for the subdivision of Lot 2A on Creek Brook Drive in the Broadway Business park into 2 lots and the conversion of an access easement to an extension of the Creek Brook Drive right of way. The right of way will provide legal frontage to the created lots. This plan is critical to the location of a major industrial user to the Broadway Park on the now vacant lot with significant new jobs and major investment in the City. The review of the plan indicates that the project complies with all requirements of the subdivision regulations. The City Departments have reviewed the plan and no objections have been received. I recommend approval of the definitive with any notes or comments from the City Departments being added to the final plan during the appeal period and prior to the final plan endorsement. I would recommend approval of the definitive plan.

Member Karen Buckley motioned to approve the definitive plan with the conditions that any notes or comments being added to the plan during the appeal period and prior to final plan endorsement. Seconded by Member William Evans.

Nate Robertson – yes

Karen Peugh – absent

Bill Evans – yes

Karen Buckley – yes

April DerBoghosian, Esq.- yes

Kenneth Cram – absent

Ismael Matias - yes

Robert Driscoll – yes

Paul Howard – yes

Motion Passed.

City department reports are attached to and considered part of this board's decision and notice of decision. Any appeal of this board's decision and notice of decision shall be taken in accordance with M.G.L. Chapters 40A and 41 within twenty (20) days of the board's filing of this decision/notice of decision with the city clerk.

List of all documents and other exhibits used by the public body during the meeting:

Online application

Plans to accompany manufacturing facility on 0 Creek Brook Drive, 4-8-21

Stormwater management Report, operation and maintenance plan

Stormwater management plan

Form D

Form D-1

Form F

Form C

Letter Drake Behrakis, 4-8-21

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Letter from Beals Associates

Definitive Escrows:

Carrington Estates Phase II Escrow:

Please be advised at the Haverhill Planning Board meeting held on 5/12/21 at 7:00 pm in the City Council Chambers reviewed the request to endorse the extension agreement for the above cited development.

The Chairman, advised the board that the agreement was reviewed by the City Solicitor as to form and was approved as attested to by his signature on said agreement. The new expiration date for performance is 4/19/22. The Planning Director recommended that the Planning Board vote to endorse the extension agreement. It was noted, that the developer must record the extension of the agreement at the Registry of Deeds and provide proof of said recording to the Planning Office for its file.

After board consideration, Member Karen Buckley motioned to endorse the above cited agreement and that the developer must provide the Planning Office with a recorded copy of said agreement as required. Member William Evans seconded the motion. All members present voted in favor. Members absent: Kenneth Cram and Karen Peugh were absent. **Motion Passed.**

List of all documents and other exhibits used by the public body during the meeting:

Escrow Materials

Reminders for escrow: None at this time.

Form A Plans: Bradford Unlimited Corp./Susan MacDonald for 606 Salem Street
Member Karen Buckley motioned to approve and endorse the Form A for 606 Salem Street. Seconded by Member Robert Driscoll. All members present voted in favor. Motion Passed.

Endorsement: 235 Essex Street – no mylars submitted.

Any other matter:

Meeting adjourned.

Signed:

Paul Howard
Chairman