



**CITY OF HAVERHILL
CITY COUNCIL MINUTES**

Tuesday, April 26, 2022 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St., Room 202

In-Person/Remote Meeting

Present – President Jordan, Councillors, Michitson, Barrett, Bevilacqua, Sullivan, McGonagle, Lewandowski, Rogers, and Toohey
Administrative Assistant – Laurie A. Brown
City Clerk – Linda L. Koutoulas

1. OPENING PRAYER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES OF PRIOR MEETING

*Motion by Councillor Barrett to accept minutes, second Councillor Bevilacqua
PASSED All in Favor*

4. ASSIGNMENT OF THE MINUTES REVIEW FOR THE NEXT MEETING

Minutes assigned to Councillor Bevilacqua.

5. COMMUNICATIONS FROM THE MAYOR:

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

7. PUBLIC PARTICIPATION- REQUESTS UNDER COUNCIL RULE 28

8. COMMUNICATIONS AND REPORTS FROM CITY OFFICERS AND EMPLOYEES:

- 8.1. William Pillsbury Jr, Economic Development & Planning Director requests permission to address the City Council on the matter of future zoning changes resulting from the MBTA Community legislation, which will summarize the draft guidelines and present the schedule to achieve final compliance

William Pillsbury gave a presentation of future zoning changes to the city due to the MBTA Community Legislation. Focus for tonight was to achieve interim compliance as required by the State for filing on May 2, 2022.

Councillor comments included if the state had the guidelines yet, can existing 40R be included in number and can Councillors write letters to have them included, legislators need to be contacted, questioned if development project will have to come before council, what is parking reduction, what is bandwidth.

Mr. Pillsbury stated that this is a zoning mandate, not a housing production mandate, that the final rules will not go into effect until the end of 2024. The state is requiring each city to bring the issue before their city councils now in order to continue to be eligible to apply for various state grants.

President Jordan stated a vote was not necessary for tonight.

*Motion by Councillor Barrett to send letter to our delegation that they include our current housing and 40R district and water front overlay in our accounting as our inventory that we already committed to, second Councillor Bevilacqua
PASSED Yeas 9, Nays 0*

11-K



**CITY OF HAVERHILL
CITY COUNCIL MINUTES**

Tuesday, April 26, 2022 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St., Room 202

In-Person/Remote Meeting

8.2. William Pillsbury Jr, Economic Development & Planning Director has a request to modify zoning for several parcels of land off Route 110 to create a new business park for the City – the change is to amend the zoning map to eliminate the zoning district OP (Office Park) and replace it with BP (Business Park) and overlay the CH portion of the site to BP as well Refer to Planning Board May 11th & Council Hearing May 24 2022

Motion by Councillor Sullivan, second by Councillor Barrett

PASSED to be heard May 24, 2022 Yeas 9, Nays 0

62

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

9.1. Petition from Mass Electric Co d/b/a National Grid for underground electric conduit location on Computer dr – Plan 30421208 Hearing May 10 2022

Motion by Councillor Bevilacqua to accept withdrawal, second Councillor

McGonagle

PASSED Withdrawn

Yeas 9, Nays 0

63

9.2. Document 50: Petition from Mass Electric Co d/b/a National Grid and Verizon NE requesting joint pole location for Forest st, Plan 30497003

9.2.1. Document 50-B: Order grant said joint pole location for Forest st

President Jordan opened the utility hearing.

Nicolas Angelo presenting in person for National Grid. Doing maintenance project on the following streets: Forest Street, West Lowell Avenue, and Broadway. First petition is for two new pole installs on Forest Street, Poles 22 and 23 for a new line.

President Jordan asked if anyone would like to speak in favor. No one spoke

President Jordan asked if anyone would like to speak in opposition. No one spoke.

President Jordan closed the utility hearing.

Motion by Councillor Lewandowski to table hearing for Forest Street, second Councillor Michitson

Motion by Councillor Barrett on joint poles on Forest Street with conditions discussed, second Councillor Bevilacqua

**** (see attached utility hearing minutes)**

Madam Clerk please call the roll for joint pole location on Forest Street.

City Clerk Koutoulas: Councillor Michitson-yes, Councillor Barrett-yes, Councillor Bevilacqua-yes, Councillor Sullivan-yes, Councillor Lewandowski-yes, Councillor McGonagle-yes, Councillor Rogers-yes, Councillor Toohey-yes, President Jordan-yes, 9 Yeas, 0 Nays

President Jordan: Motion Passed with conditions



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, April 26, 2022 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St., Room 202

In-Person/Remote Meeting

9.3.Document 51:Petition from Mass Electric Co d/b/a National Grid and Verizon NE requesting joint pole location for West Lowell av, Plan 30497003

9.3.1. Document 51-B:Order grant said joint pole location for West Lowell av

President Jordan opened the utility hearing.

Nicholas Angelo presenting in person for National Grid. Petition to relocate existing utility pole located on West Lowell Ave approximately 5.4 feet from edge of pavement.

President Jordan asked if anyone would like to speak in favor. No one spoke

President Jordan asked if anyone would like to speak in opposition. No one spoke.

President Jordan closed the utility hearing.

Motion by Councillor McGonagle, second Councillor Barrett

Madam Clerk please call the roll.

City Clerk Koutoulas: Councillor Michitson-yes, Councillor Barrett-yes, Councillor Bevilacqua-yes, Councillor Sullivan-yes, Councillor Lewandowski-yes, Councillor McGonagle-yes, Councillor Rogers-yes, Councillor Toohey-yes, President Jordan-yes, 9 Yeas, 0 Nays

President Jordan: Motion Passed

9.4.Document 52:Petition from Mass Electric Co d/b/a National Grid and Verizon NE requesting hearing for joint pole locations for Broadway, Plan 30497003

9.4.1. Document 52-B:Order grant said joint pole location for Broadway

President Jordan opened the utility hearing.

Nicolas Angelo presenting in person for National Grid. Request for two new pole locations on Broadway Poles 85-50 and Poles 83-84.

President Jordan asked if anyone would like to speak in favor. No one spoke

President Jordan asked if anyone would like to speak in opposition. No one spoke.

President Jordan closed the utility hearing.

Motion by Councillor McGonagle, second Councillor Barrett

Madam Clerk please call the roll.

City Clerk Koutoulas: Councillor Michitson-yes, Councillor Barrett-yes, Councillor Bevilacqua-yes, Councillor Sullivan-yes, Councillor Lewandowski-yes, Councillor



**CITY OF HAVERHILL
CITY COUNCIL MINUTES**

Tuesday, April 26, 2022 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St., Room 202

In-Person/Remote Meeting

McGonagle-yes, Councillor Rogers-yes, Councillor Toohey-yes, President Jordan-yes, 9
Yeas, 0 Nays

President Jordan: Motion Passed

9.5.Document 53:Petition from Mass Electric Co d/b/a National Grid and Verizon NE
requesting joint pole location on Rochambault st, Plan 30497920

9.5.1. Document 53-B:Order grant said joint pole location on Rochambault st

President Jordan opened the utility hearing.

Reardon Hoffman presenting in person for National Grid. Petition request for Pole
location on West Rochambault Street, Pole 13-50 in front of residents at 6 West
Rochambault Street.

President Jordan asked if anyone would like to speak in favor. No one spoke

President Jordan asked if anyone would like to speak in opposition. No one spoke.

President Jordan closed the utility hearing.

*Motion by Councillor Barrett with conditions not to cut trees until meeting, second
Councillor McGonagle*

Madam Clerk please call the roll.

City Clerk Koutoulas: Councillor Michitson-yes, Councillor Barrett-yes, Councillor
Bevilacqua-yes, Councillor Sullivan-yes, Councillor Lewandowski-yes, Councillor
McGonagle-yes, Councillor Rogers-yes, Councillor Toohey-yes, President Jordan-yes, 9
Yeas, 0 Nays

President Jordan: Motion Passed with conditions

10. HEARINGS AND RELATED ORDERS:

- 10.1. Document 48: Petition CCSP 22-2; from Jim Yartz, builder for applicant
James Young, requesting Special Permit at 43-45 Greenough st, to add a 2 story
3-bedroom town house apartment on the left side of his building with a new 4 car
garage to create 8 total parking spaces – the townhouse style is for himself and rent
the other two apartments *Rescheduled from April 12 2022*

President Jordan opened the special permit hearing.

James Young, Owner, 45 Greenough Street and Jim Yartz, Builder, 179 Hampstead
Road, Derry, NH in attendance for the special permit. Jim Yartz explained to the
council the home is a two-family that Mr. Young presently occupies. He would like to
add a third unit townhouse for himself and will rent the other two apartments. Mr. Yartz



**CITY OF HAVERHILL
CITY COUNCIL MINUTES**

Tuesday, April 26, 2022 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St., Room 202

In-Person/Remote Meeting

stated have been approved at variance hearing. The Fire Department has asked for sprinklers for entire building. Do have a company ready to install sprinklers in building who will work with the Building Inspector and approvals through Fire Department.

President Jordan asked if anyone would like to speak in favor. No one spoke.

President Jordan asked if anyone would like to speak in opposition. No one spoke.

President Jordan closed the special permit hearing.

Motion by Councillor Sullivan to move for passage, second by Councillor Rogers

Councillor Barrett asked how many parking spaces and how is the parking situation? Jim Yaratz stated that they are adding four more spaces and will have eight total, will have plenty of parking and will not encroach on neighbors.

Councillor McGonagle asked if motion can include any requirements from City Departments and sprinkler system be part of motion as well. Councillor Sullivan and Councillor Rogers agreed to add conditions to the motion.

Councillor Michitson commented that he thinks they are squeezing a lot of additional building into a small area but however did not see any opposition from neighbors. Jim Yaratz commented neighbors were notified and only concern was parking but that has been addressed.

Madam Clerk please call the roll.

City Clerk Koutoulas: Councillor Michitson-yes, Councillor Barrett-yes, Councillor Bevilacqua-yes, Councillor Sullivan-yes, Councillor Lewandowski-yes, Councillor McGonagle-yes, Councillor Rogers-yes, Councillor Toohey-yes, President Jordan-yes, 9 Yeas, 0 Nays

President Jordan: Motion Passed with Conditions.

- 10.2. Document 57: Application CCSP 22-4; for new Inflammable License from Steven J Eddy for the diesel fueling station proposed at 298 Amesbury rd – 32,000 gallons of diesel fuel to be stored underground *Abutters green cards are back*
Fire Dept has signed the application with recommendations
Police Dept has requested traffic study before City Council approval

Received letter from applicant that this be postponed following a traffic study requested by the police dept to May 24

Motion Councillor Sullivan, second Councillor Michitson

PASSED postpone 5/24

Yeas 8, Nays 0, Abstain 1 (McGonagle)



CITY OF HAVERHILL
CITY COUNCIL MINUTES

Tuesday, April 26, 2022 at 7:00 PM

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

11. APPOINTMENTS:

11.1. Confirming Appointments:

11.2. Non-Confirming:

11.3. Resignations:

11.3.1. Dougan Sherwood from *Harbor Commission*

Motion by Councillor Bevilacqua to accept, second Councillor Rogers

PASSED *Yeas 9, Nays 0* 64

12. PETITIONS:

12.1. Kenville Mercury requests Hearing for Special Permit, CCSP-22-7 for housing project at 345 River st for commercial/residential, 3- unit multifamily in the Residential Rural zone Hearing May 24 2022

Motion by Councillor Sullivan, second Councillor McGonagle

PASSED to be heard May 24, 2022 *All in Favor* 65

12.2. Applications Handicap Parking Sign: *with Police approval:*

12.3. Amusement/Event Application:

12.3.1. Ronald Paradis for *Veterans Northeast Outreach Center for Annual Fundraising Car Show* using the Northern Essex College's 500 parking spots near their Technology building at 100 Elliott st, for the event; to be held outdoors, April 30th from 10 am to 2 pm *pending Health Dept approval*

Motion by Councillor Bevilacqua, second Councillor Barrett

PASSED *Yeas 9, Nays 0* 65

12.3.2. Javier Bristol for *Boys & Girls Club of Greater Haverhill*, 55 Emerson st for post walk celebration April 30th, from 11:30 am to 2:00 pm; with event to be held at *TD Bank* parking lot on Bailey blvd *pending Health Dept approval*

Motion by Councillor Bevilacqua, second Councillor Toohey

PASSED *Yeas 9, Nays 0* 66-B

12.4. Auctioneer License:

12.5. Tag Days:

12.6. One Day Liquor License – *with approvals*

12.7. Annual License Renewals:

12.7.1. **Hawker Peddlers License 2022 - Fixed location** – *with approvals*

12.7.2. **Coin-Op License Renewals** - *with Police approval*

12.7.3. **Drainlayer License Renewals for 2022** -*with City Engineer approval*

12.7.3.1. Jamie Gibbs, 87 Smith Corner rd, Newton, NH

Motion by Councillor Sullivan, second Councillor Barrett

PASSED *All in Favor* 16-H

12.7.4. **Christmas Tree Vendor:**

12.7.5. **Taxi Driver Licenses for 2022:** *with Police approval:*



**CITY OF HAVERHILL
CITY COUNCIL MINUTES**

Tuesday, April 26, 2022 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St., Room 202

In-Person/Remote Meeting

-
- | | | |
|-----------|---|------|
| 12.7.5.1. | Steve Pefine, 52 Washington st – <i>renewal</i> | 49-L |
| 12.7.5.2. | Shannon Glazier, 19 4 th Avenue – <i>new</i> | 49-M |
| 12.7.5.3. | Devon Plaza, 19 4 th Avenue – <i>new</i> | 49-N |
| 12.7.5.4. | Nicholas Siney, 11A Charles t – <i>renewal</i> | 49-O |
| 12.7.5.5. | Cathleen Gates, 17 Landmark dr – <i>new</i> | 49-P |

Motion by Councillor Bevilacqua to approve, second Councillor Rogers
PASSED *All in Favor*

- | | | |
|-----------|---|------|
| 12.7.5.6. | Timothy Flanagan, 3 Washington st – <i>denied by HPD</i> | |
| | <i>Motion by Councillor Sullivan, second Councillor McGonagle</i> | |
| | FAILED <i>Yeas 0, Nays 9</i> | 49-Q |

- | | | |
|-----------|---|------|
| 12.7.5.7. | Vicky Gonzalez, 14 Granite st – <i>denied by HPD</i> | |
| | <i>Motion by Councillor Sullivan, second Councillor Barrett</i> | |
| | FAILED <i>Yeas 0, Nays 9</i> | 49-R |

12.7.6. Taxi License:

12.7.7. Junk Dealer License with Police approval:

- | | | |
|-----------|--|------|
| 12.7.7.1. | James Smith, TJS Metals, 39 Hale st | |
| | <i>Motion by Councillor McGonagle, second Councillor McGonagle</i> | |
| | PASSED <i>All in Favor</i> | 45-B |

12.7.8. Pool Tables

12.7.9. Sunday Pool

12.7.10. Bowling

12.7.11. Sunday Bowling

12.7.12. Buy & Sell Second Hand Articles with Police approval:

12.7.13. Buy & Sell Second Hand Clothing

12.7.14. Pawnbroker license

12.7.15. Fortune Teller

12.7.16. Buy & Sell Old Gold

12.7.17. Roller Skating Rink

12.7.18. Sunday Skating

12.7.19. Exterior Vending Machines

12.7.20. Limousine/Livery License/Chair Cars with Police approval:

13. MOTIONS AND ORDERS:

- 13.1. Order – Confer local approval of House Bill No 4266 seeking to authorize the Mass State Retirement Board to grant credible service to John Farrell, an active employee of the Haverhill Fire Department

Motion Councillor Sullivan, second Councillor Barrett

PASSED *Yeas 9, Nays 0* 67



CITY OF HAVERHILL

CITY COUNCIL MINUTES

Tuesday, April 26, 2022 at 7:00 PM

Theodore A. Pelosi, Jr. Council Chambers, 4 Summer St., Room 202

In-Person/Remote Meeting

John Farrell thanked the council stating it has been a long process for military service approval.

- 13.2. Order – Transfer \$50,000 from the Youth Activity/Mental Health Stabilization Fund to the Special Revenue Account – Youth Risk Behavior Survey in order to fund HP3 public private partnership 21st Century Jobskills Project
This order requires a two-thirds majority vote of the legislative body
Motion by Councillor McGonagle, second Councillor Sullivan
PASSED *Yeas 9, Nays 0* 18-K

14. ORDINANCES (FILE 10 DAYS)

- 14.1. Ordinance re: Vehicles & Traffic – No Parking on Day st, Riverside av and Revere st File 10 days
Motion by Councillor Sullivan, second Councillor Barrett
PASSED Placed on File *All in Favor* 8-C

15. COMMUNICATIONS FROM COUNCILLORS:

16. UNFINISHED BUSINESS OF PRECEDING MEETING:

- 16.1. Document 42-B: Bond Order - \$515,275 to fund purchase of a salting/snowplowing truck and a street sweeper *filed April 13 2022*
Motion by Councillor Sullivan, second Councillor Barrett
PASSED *Yeas 9, Nays 0*
- 16.2. Document 58: Ordinance re: Outdoor Dining Addition *filed April 5 2022*
Motion by Councillor Sullivan, second Councillor McGonagle
PASSED *Yeas 9, Nays 0*

17. RESOLUTIONS AND PROCLAMATIONS:

18. COUNCIL COMMITTEE REPORTS AND ANNOUNCEMENTS

Councillor Bevilacqua announced the Planning and Development Committee will meet Wednesday, May 4 2022 at 6:00 PM in the Council Chambers.

President Jordan announced there is no City Council meeting on May 3, 2022 due to the Mayor's State of the City Address.

19. DOCUMENTS REFERRED TO COMMITTEE STUDY

20. LONG TERM MATTERS STUDY LIST

21. ADJOURN

Motion by Councillor Sullivan to adjourn, second Councillor Lewandowski
PASSED *All in Favor* *Adjourned 20:46 pm*