



City of Haverhill  
City Council Minutes  
Tuesday, May 11, 2021  
4 Summer Street  
Theodore Pelosi Jr. City Council Chambers, Room 202  
In Person and Remote

---

Present – President Barrett, Councillors Bevilacqua, Michitson, Sullivan, Jordan, McGonagle, Daly O’Brien and Macek.

Absent-Councillors LePage and Macek

City Clerk – Linda L. Koutoulas

President Barrett read the following statement: This meeting of the Haverhill City Council is being conducted remotely consistent with Governor Baker’s Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the “COVID-19 Virus”.

In order to mitigate the transmission of the COVID-19 Virus, we have been advised and directed by the Commonwealth to suspend public gatherings, and as such, the Governor’s Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible *physical* location. Further, all members of public bodies are allowed and encouraged to participate remotely.

The Order, which you can find posted with agenda materials for this meeting allows public bodies to meet entirely remotely and live so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. This meeting will have public comment.

**Due to the ongoing COVID-19 Pandemic, Governor Baker issued an Emergency Order temporarily suspending certain provisions of the Open Meeting Law, G.L. c. 30A sec. 18. 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

The minutes were approved

Yeas 7, Nays 0, Absent 2

4. Assignment of the minutes review for the next Meeting  
Councillor Michitson was assigned the minutes

5. Communications from the Mayor:

Mayor Fiorentini requests to give an update on Haverhill’s efforts regarding the Coronavirus (COVID-19) crisis along with Councillor Daly O’Brien.

Mayor Fiorentini informed that we are still in the red zone but the numbers are going down. We still need to be cautious. The Haverhill vaccination rate is 48%. The big news is that 12-15 year olds can get vaccinated. He reviewed the locations of the vaccination clinics. Whittier Vo Tech and Haverhill High School will have clinics. All Saints Church will offer vaccines after the Latino mass on Sunday. Councillor Daly O’Brien announced there are no deaths today from COVID. Moderna may have booster shots. During the flu and cold season the cases were negligible due to mask wearing.

PLACED ON FILE

5N

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:

Assessor’s report for the month of April 2021

PLACED ON FILE

Yeas 7, Nays 0, Absent 2

53C

9. Utility Hearing(s) and Related Order(s):

10. Hearings and Related Orders:

Petition for Special Permit CCSP 21-6, from Kyle Tornow for client RISE Construction for restoration of existing 7-story building at 86 Essex st; to have 42 rental apartments & ground floor will have some commercial space in Downtown Smart Growth Overlay; *Favorable recommendation and conditions from Planning Director Department approvals with conditions*

HEARING OPENED

ATTORNEY DONALD BORENSTEIN REPRESENTED THE APPLICANT RISE DEVELOPMENT LLC. HE INTRODUCED TEAM MEMBERS, MATT JUROS, ARCHITECT, JIM HANLEY, CIVIL ENGINEER, AND TWO REPRESENTATIVES FROM RISE, ZOUK MO AND JEREMY HENRY. THE BUILDING IS ACROSS FROM MARIA’S RESTAURANT. IT WAS BUILT IN 1910 AND HAS BEEN SITTING

DERELICT. IT IS THE LAST REMAINING UNDEVELOPED BUILDING. IT WILL HAVE 42 RESIDENTIAL UNITS. THE BUILDING IS LOCATED IN THE IG, GENERAL BUSINESS DISTRICT. MOST IMPORTANTLY, IT IS IN THE DOWNTOWN SMART GROWTH OVERLAY DISTRICT. 20% OF UNITS WILL BE SET ASIDE FOR AFFORDABLE HOUSING/MODERATE INCOME. THEY COMPLY WITH ALL DENSITY REQUIREMENTS IN SUBZONE A. THEY ARE PROPOSING A CAFÉ ON THE FIRST FLOOR AND WANT TO USE THE BASEMENT FOR STORAGE. THEY DO REQUIRE A ROOFTOP WAIVER. THEY HAVE SUBSTANTIAL LETTERS OF SUPPORT FROM THE RESTAURANT COMMUNITY.

MR. ZUCH MO SPOKE GLOWINGLY ABOUT HIS ATTRACTION TO THE CITY, THE COMMUNITY FEELING, AND THE ARCHITECTURE OF THE BUILDING. THE UNITS WILL ATTRACT THOSE WITHOUT CARS AS IT IS CLOSE TO TRANSIT.

MATT JUROS, FISHBROOK STUDIOS, GAVE AN OVERVIEW OF THE PROJECT. 3 HANDICAP SPACES WILL BE IN THE REAR OF THE BUILDING. THEY WILL PRESERVE WHAT'S HISTORIC. THEY WILL BE USING FEDERAL NATIONAL HISTORIC TAX CREDIT WHICH ALSO HAS A STATE TAX PIECE. THEY WILL RESTORE PARTS THAT HAVE DECAY AND HAVE BECOME DANGEROUS. THE RESTORATION WILL BE HISTORICALLY ACCURATE. THE EXTERIOR BRICKWORK WILL BE REPOINTED AND REPAIRED. ALL THE WINDOWS WILL BE REPLACED. THERE WILL BE TWO ART NOVEAU CANOPIES FOR ENTRY WAYS. THE FRONT PORTION OF THE BUILDING WILL BE OPEN TO THE PUBLIC AS A WORKING AREA AND COFFEE SHOP. THERE WILL BE NO COOKING. THE BACK AREA IS REALLY THE BACK LOBBY. THE BASEMENT WILL HAVE A DOG WASHING AREA AND AMENITY SPACE WITH CLUBROOM AND BIKE STORAGE. THERE WILL BE A UNIT MIX, PRIMARILY STUDIOS AND ONE BEDROOM. THERE WILL BE 7 TWO BEDROOMS. THE EXITING PATTERN REQUIRES A NEW STAIRWAY. THE ROOF DECK IS MODEST IN SIZE. THE ROOF DECK CAN NOT BE SEEN FROM THE STREET. THE RAIL STATION IS 100 YARDS AWAY. THERE WILL BE 55 LEASED PARKING SPACES IN THE MVRTA PARKING GARAGE WITH 3 HP SPACES IN THE BACK OF THE BUILDING.

ATTORNEY BORENSTEIN INFORMED THAT THE TEAM DID BUSINESS TO BUSINESS AND PERSON TO PERSON OUTREACH. IN CONCLUSION HE ASKED FOR THE COUNCIL'S PLAN APPROVAL.

ANDREW HERLIHY, SPOKE ON BEHALF OF THE PLANNING DIRECTOR AND INFORMED THAT THE PROJECT HAS THE DIRECTOR'S SUPPORT FOR THIS 40R DISTRICT PROJECT AS THE CITY NEEDS MARKET RATE AND AFFORDABLE HOUSING. NO ONE SPOKE AGAINST THE PROJECT. HEARING CLOSED

ON MOTION OF COUNCILLOR SULLIVAN WITH SECOND FROM COUNCILLOR DALY O'BRIEN TO MOVE FOR PASSAGE.

COUNCILLORS EXPRESSED CONCERN ABOUT PARKING AND WANTED THE NAME ON THE LEASE TO SPECIFY RISE DEVELOPMENT. MR. JEREMY HENRY EXPLAINED THAT THEY WILL BE SWITCHING OVER THE NAME ON THE LEASE RENTAL. THE LEASE PERIOD IS 10 YEARS WITH AN OPTION FOR AN ADDITIONAL 10 YEARS. COUNCILLORS INDICATED THAT THE LEASE OPTION NEEDS TO BE LONGER AND WILL MAKE THAT A CONDITION OF APPROVAL. RENTAL RATES WILL BE BETWEEN \$1,800 - \$2,200 FOR MARKET RATE UNITS. THE AFFORDABLE UNITS WILL BE JUST UNDER \$1,000. THE NEIGHBORING RATES ARE \$2,700 A MONTH. THERE WILL BE AN ENCLOSED DUMPSTER LOCATED ON SITE.

PRESIDENT BARRETT STATED THAT THE PERMIT WILL REFLECT THAT THERE ARE 55 PARKING SPACES IN THE MVRTA PARKING GARAGE WITH 3 HP SPACES IN THE REAR OF THE BUILDING.

ON MOTION OF COUNCILLOR MCGONAGLE WITH SECOND BY COUNCILLOR SULLIVAN TO ADD CONDITIONS THAT THE DEPARTMENT HEAD LETTERS AND RECOMMENDATION OF THE PLANNING DIRECTOR LETTER DATED MAY 7, 2021 BE INCLUDED; THE MVRTA LEASE TO REFLECT THE NAME OF RISE DEVELOPMENT AND BE IN PERPETUITY; FURTHER, THAT RESIDENTS AT 86 ESSEX STREET CAN NOT REQUEST PARKING PASSES.

PASSED AS AMENDED

Yeas 6, Nays 1 (Barrett) Absent 2

43

## 11. Appointments:

### Confirming Appointments

### Non-Confirming Appointments

Mayor Fiorentini appointment of Merrimack Street Redevelopment Committee:

City Council President Melinda Barrett

City Councillor Mary Ellen Daly O'Brien

Matt Juros, Haverhill Architect

William Cox, City Solicitor

Steven Bucuzzo, City Purchasing Agent

William Pillsbury, Economic Development and Planning Director

Richard MacDonald, Health and Inspectional Services Director

Nate Robertson, Planner with Merrimack Valley Planning Commission

Pamela Price, Assistant Economic Development Director

Joseph Faro, Jr. – ex-officio

State Representative Christina Minicucci – ex-officio

PLACED ON FILE Yeas 7, Nays 0, Absent 2 1Q

**12. Petitions:**  
 Drainlayer License for 2021 - with City Engineer approval  
 Adam Piccirilli – *new; Bond on file*

PLACED ON FILE Yeas 7, Nays 0, Absent 2 19T

**13. Motions and Orders**  
 Communication from City Solicitor William Cox regarding special municipal employees  
**ORDERED:** That the members of the Merrimack Street Redevelopment Committee for the City of Haverhill are designated as “Special Municipal Employees” pursuant to M.G..L. c268A.  
**PASSED** Yeas 7, Nays 0, Absent 2 59

**14. Ordinances (File 10 days)**

**15. Communications from Councillors:**  
 Council President Barrett and Councillor Bevilacqua to discuss future charging station options for the City  
**PRESIDENT BARRETT SHOWED A PHOTO OF A CHARGER SYSTEM BEING USED IN MELROSE. THERE IS A NEED TO HAVE ELECTRIC CHARGERS IN OUTLYING AREAS OF THE CITY, NOT JUST THE DOWNTOWN AREA, TO ACCOMMODATE FUTURE NEEDS. THERE ARE INCENTIVES BEING OFFERED BY UTILITY COMPANIES**  
**LETTER TO MAYOR** Yeas 7, Nays 0, Absent 2 50Q  
 Councillor Daly O’Brien wishes to discuss HC Media’s broadcast of government meetings  
**COUNCILLOR DALY O’BRIEN HIGHLIGHTED THE POOR QUALITY OF AUDIO AND VIDEO BROADCAST OF CITY COUNCIL MEETINGS. THIS MAY BE AN OPPORTUNITY FOR THE MAYOR’S OFFICE, CABLE COMMISSION AND/OR COMCAST TO ADDRESS PROBLEMS.**  
**LETTER TO MAYOR** Yeas 7, Nays 0, Absent 2 50R  
 Councillor Daly O’Brien would like to recognize National Armed Forces Day and National Peace Officers Memorial Day on Saturday May 15, 2021  
**PLACED ON FILE** 50S  
**ON MOTION OF COUNCILLOR DALY O’BRIEN WITH SECOND FROM COUNCILLOR MCGONAGLE TO SUSPEND THE RULES FOR PROCLAMATION SUBMITTED BY MAYOR FIORENTINI FOR NATIONAL SCHOOL NURSES DAY**  
**RULES SUSPENDED** Yeas 7, Nays 0, Absent 2 60  
**COUNCILLOR DALY O’BRIEN READ THE NATIONAL SCHOOL NURSES DAY, MAY 12, PROCLAMATION INTO THE RECORD**  
**ADOPTED** Yeas 7, Nays 0, Absent 2 60  
 Councillor McGonagle requests the Traffic and Safety Committee review a constituent request for a stop sign at Brown and Adams Streets  
**REFERRED TO TRAFFIC & SAFETY COMMITTEE** Yeas 7, Nays 0, Absent 2 50T

**16. Unfinished Business of Preceding Meeting:**

**17. RESOLUTIONS and PROCLAMATIONS:**

**18. Council Committee Reports and Announcements:**  
 Councillor Sullivan announced there will be a Natural Resources and Public Property Committee meeting on Thursday, May 13, in the City Council office to review request by resident to have parcel of city land surplus on Lincolnshire Drive.

**19. Documents referred to committee study**

**20. Long term matters study list**

**21. Adjourn**  
 Meeting adjourned 8:45 o’clock P.M. Yeas 7, Nays 0, Absent 2

Attest: Linda Koutoulas  
 City Clerk