

**HAVERTHILL PLANNING BOARD  
MEETING MINUTES**

**DATE: Wednesday, August 12, 2020**

**Place: ONLINE MEETING DUE TO COVID-19**

**Time: 7:00 PM**

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

Members Absent:           Member Karen Peugh  
                                  Member Ismael Matias  
                                  Member Ken Cram

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

**Approval of Minutes:** July 8, 2020

**July 8, 2020**

After board consideration, Member Robert Driscoll motioned to approve the July 8, 2020 minutes. Member William Evans seconded the motion.

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

**Planning Board Meeting  
8-12-20**

Motion Passed.

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

**Public Hearings:**

**Frontage Waiver for 225 Rosemont Street:**

Mr. Pillsbury, Planning Director: Went over the online rules of the public hearing.

Mr. Pillsbury, Planning Director: A variance was granted for lot frontage in the RM zone. The application was approved by the zoning board of appeals. There was no appeal taken on that particular application. The request is now before us to move it to the next stage as a frontage waiver and this plan will be recorded at the Registry of Deeds and it would indicate that there was adequate access via the reduced frontage. That is the one criteria, that the Planning Board looks at in these frontage waiver situations. Again, I am assuming the other person is probably an interested party but has not spoken up yet.

Chairman Howard asked if anyone would like to speak on this project?

Mr. George Rogers of 221 Rosemont Street, an abutter addressed the board. I was just curious what the project was all about. Why was the variance needed?

Mr. Pillsbury: The variance that was approved was for frontage. In the RM zone there is a certain requirement for length of frontage. The lot was deficient in that particular category so the zoning board of appeal a couple of months ago granted a variance for the amount of frontage the lot had. The board tonight is considering whether there is adequate access in this particular case from the street, ie Rosemont Street to the buildable portion of the lot. That is the criteria that the Planning Board has to look at tonight.

Mr. Rogers: Okay.

Chairman Howard asked if there was anyone else who wished to speak on this project? Hearing none, I will close the public portion of the hearing and turn it over to comments from the Planning Director.

Mr. William Pillsbury, Planning Director: In this particular case we do have a frontage variance that was granted by the Board of Appeals. No appeal was taken on that matter. In review of the plan does indicate there is adequate access as it was reviewed by the city engineer and the building inspector. I would recommend the approval of the frontage waiver as presented.

**Planning Board Meeting  
8-12-20**

After board consideration, Member Robert Driscoll motioned to approve the frontage waiver for 225 Rosemont Street (Hazel St) as recommended by the Planning Director, William Pillsbury. Member Nate Robertson seconded the motion. All members present voted in favor. Member absent: Karen Peugh, Ken Cram and Ismael Matias. 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:**

- Frontage Waiver plan dated 6-26-20
- Fire Department letter, 7-15-20
- Application for frontage waiver
- Online application for frontage waiver
- Form D-1
- Form D
- Letter from owner, 7-9-20

**Definitive Escrows:**

**Carrington Estates Phase I & Phase II:**

**Carrington Estates Phase I: Bond Reduction**

As per your request, we have reviewed the subject bond, inspected roadway and associated improvements, and compared the quantities of the roadway plan. The calculations indicate that near all items have completed. It is noted that the project has still not closed out with Conservation. Should Conservation items be completed (including carving out Oakwood Avenue strip for future ROW/Access), and City receive copy of documents transferring Maintenance responsibility for the detention ponds and associated items to the Condo Association, I will recommend a reduction to \$0 at the September Planning Board meeting. (See John Pettis letter March 11, 2020)

No vote was taken.

**Carrington Estates Phase II: Bond Reduction**

**Planning Board Meeting  
8-12-20**

As per request, we have reviewed the subject bond, inspected the roadway and associated improvements, and compared the quantities to the roadway plan. The calculations indicate that near all items have been completed. It is noted that the project has still not closed out with Conservation. Should Conservation items be completed, and the City receive a copy of documents transferring maintenance responsibility for the detention ponds and associated items to the Condo Association, I will recommend reduction to \$0 at the September Planning Board meeting. (See John Pettis letter August 12, 2020)

No vote was taken.

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

**Escrow Materials**

**West Gile Street Escrow (bond reduction):**

Please be advised, the Haverhill Planning Board at its meeting held on 8-12-20 reviewed the request of Russell Ahern to reduce the amount being held for completion of work within the cited subdivision.

The board advised that the request was referred to the city engineer. The request was to review the work cited as required; advise if all work cited was completed under the approved definitive plan; if the work was completed in accordance with the approvals; and if all required remaining work was listed and if the dollar values were accurate. Please note that Planning Director William Pillsbury, Jr. recommended that the board vote to reduce the account as recommended by the City Engineer in his report to the board dated 8-12-20. In his letter to the board, he states that the bond be reduced to 20% of the original value, to \$14,975.30. I will not recommend further reduction until the item above has been properly completed, per the subdivision regulations.

In consideration of the report from the City Engineer, John Pettis, Member Robert Driscoll motioned to reduce the amount \$31,105.20 from the \$46,080.50 balance and maintain a balance of \$14,975.30 as recommended by the city engineer in his report to the board dated 8-12-20. Member Nate Robertson seconded the motion. All members present voted in favor to reduce the account to the balance of \$14,975.30 as recommended by the city engineer in his report addressed to the board dated 8-12-20. Members Absent: Karen Peugh, Ismael Matias and Kenneth Cram. Motion passed.

As a condition of the board's vote, the **BANK is required** to notify the board that the minimum amount of \$14,975.30 is held for the completion of all remaining work. The account shall not be further reduced or released without formal board approval.

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

Planning Board Meeting  
8-12-20

**Escrow Materials**

**South Central Street Escrow (bond reduction):**

Please be advised, the Haverhill Planning Board at its meeting held on 8-12-20 reviewed the request of Stephen Defeo to reduce the amount being held for completion of work within the cited subdivision.

The board advised that the request was referred to the city engineer. The request was to review the work cited as required; advise if all work cited was completed under the approved definitive plan; if the work was completed in accordance with the approvals; and if all required remaining work was listed and if the dollar values were accurate. Please note that Planning Director William Pillsbury, Jr. recommended that the board vote to reduce the account as recommended by the City Engineer in his report to the board dated 8-12-20. In his letter to the board, he states that the bond be reduced to 20% of the original value, to \$12,183.33. I will not recommend further reduction until the item above has been properly completed, per the subdivision regulations.

In consideration of the report from the City Engineer, John Pettis, Member Nate Robertson motioned to reduce the amount \$48,733.32 from the \$60,916.65 balance and maintain a balance of \$12,183.33 as recommended by the city engineer in his report to the board dated 8-12-20. Member Robert Driscoll seconded the motion. All members present voted in favor to reduce the account to the balance of \$12,183.33 as recommended by the city engineer in his report addressed to the board dated 8-12-20. Members Absent: Karen Peugh, Ismael Matias and Kenneth Cram. Motion passed.

As a condition of the board's vote, the **BANK is required** to notify the board that the minimum amount of \$12,183.33 is held for the completion of all remaining work. The account shall not be further reduced or released without formal board approval.

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

**Escrow Materials**

**Greenough Street Escrow (bond reduction):**

Please be advised, the Haverhill Planning Board at its meeting held on 8-12-20 reviewed the request of Stephen Defeo to reduce the amount being held for completion of work within the cited subdivision.

The board advised that the request was referred to the city engineer. The request was to review the work cited as required; advise if all work cited was completed under the approved definitive plan; if the work was completed in accordance with the approvals; and if all required remaining work was listed and if the dollar values were accurate. Please note that Planning Director William Pillsbury, Jr. recommended that the board

**Planning Board Meeting  
8-12-20**

vote to reduce the account as recommended by the City Engineer in his report to the board dated 8-12-20. In his letter to the board, he states that the bond be reduced to 20% of the original value, to \$39,486.40. I will not recommend further reduction until the item above has been properly completed, per the subdivision regulations.

In consideration of the report from the City Engineer, John Pettis, Member Karen Buckley motioned to reduce the amount \$43,279.10 from the \$82,765.50 balance and maintain a balance of \$39,486.40 as recommended by the city engineer in his report to the board dated 8-12-20. Member Nate Robertson seconded the motion. All members present voted in favor to reduce the account to the balance of \$39,486.40 as recommended by the city engineer in his report addressed to the board dated 8-12-20. Members Absent: Karen Peugh, Ismael Matias and Kenneth Cram. Motion passed.

As a condition of the board's vote, the **BANK is required** to notify the board that the minimum amount of \$39,486.40 is held for the completion of all remaining work. The account shall not be further reduced or released without formal board approval.

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

**Escrow Materials**

**Tenadel Avenue Escrow (bond re-establishment):**

Please be advised the Planning Board at its 8-12-20 regular scheduled meeting considered your request to establish the bond amount for the above cited development. No lots are to be released until the required funds are submitted along with the escrow agreement in exchange for the release of said lots from the Form E Covenant. The board reviewed your cited request along with the report from the city engineer, dated August 12, 2020, which showed the evaluation amount of \$104,667.25 to complete the remaining, work.

Please note, that the lots will not be released until a properly executed agreement with notarized signatures is submitted to the Board for acceptance and endorsement. Said agreement would be required to be recorded at the Registry of Deeds and a copy provided to the board that shows the registry's recording stamp.

After board consideration, Member Robert Driscoll motioned to approve the established amount of \$104,667.25 that was recommended by the city engineer in his report dated August 12, 2020. Seconded by Member Bill Evans. All members present voted in favor. Members absent: Karen Peugh, Ismael Matias and Kenneth Cram. Motion Passed.

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

**Escrow Materials**

**Planning Board Meeting  
8-12-20**

**Greenough Street Escrow:**

Send reminder to developer.

**Form A Plans:**

None at this time.

**Endorsement:** None at this time.

**Any other matter:**

Meeting adjourned.

Signed:

Paul Howard  
Chairman