

DOC. 44 – SUMMARY MINUTES OF A SPECIAL PERMIT HEARING HELD ON JUNE 16, 2020, FOR PETITION FROM ATTORNEY JOHN MCKENNA FOR APPLICANT AMERCO REAL ESTATE CO AND U-HAUL COMPANY OF EASTERN MASS REQUESTING SPECIAL PERMIT UNDER POD ORDINANCE FOR STORAGE CONTAINERS PURSUANT TO ZONING ORDINANCE SECTION 120-16; FOR THE USE OF MORE THAN 2 REGULATED STORAGE CONTAINERS FOR MORE THAN 6 MONTHS AT 211-219 LINCOLN AVE; RIVER’S EDGE PLAZA

SUBJECT: Document 44 – Special Permit hearing for petition from Attorney John McKenna for applicant Amerco Real Estate Co and U-Haul Company of Eastern Mass requesting Special Permit under POD ordinance for storage containers pursuant to zoning ordinance section 120-16 at 211-219 Lincoln Avenue

Present: President Melinda Barrett, Councillor Colin LePage, Councillor Joseph Bevilacqua, Councillor John Michitson, Councillor Thomas Sullivan, Councillor Timothy Jordan, Councillor Michael McGonagle, Councillor William Macek and Councillor Mary Ellen Daly O’Brien.

City Clerk Linda Koutoulas: Document 44 – Petition from Attorney John McKenna for applicant Amerco Real Estate Co and U-Haul Company of Eastern Mass requesting Special Permit under POD ordinance for storage containers pursuant to Zoning Ordinance Section 120-16; for the use of more than 2 regulated storage containers for more than 6 months at 211-219 Lincoln Ave - River’s Edge Plaza. *Comments from various City Departments are included.*

President Barrett announced there would be an opportunity to call in and the number would scroll on the screen at the appropriate time.

Council President Barrett opened the hearing.

Attorney McKenna requested additional time to prepare renderings and appropriate plans and asked for continuance to next City Council meeting. He apologized for not meeting the 11AM deadline to submit his request. His request was submitted at 11:15AM. Renderings are coming from out of state and he should have the materials by the end of the week. He informed that he would notify abutters when asked if they would be notified.

On motion of Councillor Sullivan with second from Councillor Daly O’Brien to postpone to July 28 City Council meeting.

Clerk Koutoulas: Councillor LePage-yes, Councillor Bevilacqua-yes, Councillor Michitson-yes, Councillor Sullivan-yes, Councillor Jordan-yes, Councillor McGonagle-yes, Councillor Daly O’Brien-yes, Councillor Macek-no, President Barrett-no, 7 yeas, 2 nays

President Barrett: Continued to July 28,2020

July 28, 2020 City Council meeting

Present: President Melinda Barrett, Councillor Colin LePage, Councillor Joseph Bevilacqua, Councillor John Michitson, Councillor Thomas Sullivan, Councillor Timothy Jordan, Councillor Michael McGonagle, Councillor William Macek and Councillor Mary Ellen Daly O’Brien.

Assistant City Clerk James Blatchford: Document 44: Petition from Attorney John McKenna for applicant Amerco Real Estate Co and U-Haul Company of Eastern Mass requesting Special Permit under

POD Ordinance for Storage Containers pursuant to Zoning Ordinance Section 120-16; for the use of more than 2 regulated storage containers for more than 6 months at 211-219 Lincoln Ave - Rivers Edge Plaza; *Postponed from June 16 2020; Comments from various City Departments are included; Updated renderings included*

President Barrett reopened the hearing and stated the phone in number will scroll at the appropriate time.

Attorney McKenna represented U-Haul of Eastern Massachusetts for this petition filed in February 2020, postponed to June 16 and again to July 28 for petitioner to provide updated architectural renderings which were sent to the clerk and abutters who requested them. These renderings address comments by Conservation Commission and City Engineer Pettis. Attorney McKenna asked for permission to have Scott Chase from U Haul and Attorney Norman Greenberg representing the seller to speak. He informed that the parking area is in the floodplain and there is room for compensatory storage in the back of the building where there is a ridge by the river. The renderings show in front by the entrance, 1,000 sq. feet of containers – 10 containers – 2 rows of 5 (10x10). Along entrance rows of approximately 3,500 sq. feet, 35 containers in front of building. Another 15 containers behind CVS in the back by the dumpster. The original proposal was for 8,000 sq. feet which has been cut back to 6,000 sq. feet. He cited the conditions of the Planning Board.

Mr. Scott Chase, President of U-Haul informed that he has 4-6 independent dealers in Haverhill. He understands that the site is an eyesore. That will be cleaned up, but the outdoor storage is necessary for their business plan. These are prefab buildings. The rooms are alarmed for access by customer. The community has a need for self-storage. This will create 10-12 jobs. Attorney Norman Greenberg informed that they had marketed the property for 5-6 years as retail space and there was no interest. The only interest was self-storage. U-Haul is prepared to spend millions to improve the property. Attorney McKenna read 2 letters of support into the record. One from Paul Kaknes dba K's Fuel Stop and the other from Charles Aubuchon, Aubuchon Hardware.

President Barrett asked if anyone was in favor. Gary Evans stated he was neither for nor against the petition but questioned the use as accessory as he sees it as a primary use.

President Barrett asked if anyone was opposed. Those opposed were Stephen Mangano, Jay Ferrantini and Roberta Alicata.

Attorney McKenna stated the storage containers are essential to the plans and they are open to landscaping.

President Barrett closed the hearing.

Councillors comments included overall concept of pods on the parking lot, the use is not accessory as they will remain there. The visual impact is negative, and pods are better suited in commercial/business park. Not highest and best use of site. The concerns cited by Conservation and Engineer were not addressed. Petitioner did not come up with solutions.

On motion of Councillor McGonagle with second from Councillor Sullivan to approve the special permit.

Assistant Clerk Blatchford: Councillor LePage-no, Councillor Bevilacqua-no, Councillor Michitson-no, Councillor Sullivan-no, Councillor Jordan-no, Councillor McGonagle-no, Councillor Daly O'Brien-no, Councillor Macek-no, President Barrett-no, 0 years, 9 nays

President Barrett: Special Permit does not pass

Respectfully submitted,

Barbara S. Arthur
Administrative Assistant
Haverhill City Council

October 27, 2020

REASON FOR VOTE – SPECIAL PERMIT – DOCUMENT 44
Amerco Real Estate Co and U-Haul Company of Eastern Mass
211-219 Lincoln Ave. – July 28, 2020

President Barrett: I voted against the Special Permit because the applicant did not address the flooding concerns noted by Conservation Commission nor the City Engineer. As the area where PODS would be located is in the 100 year flood zone. It makes little sense to have flow through in storage containers. They showed no mitigation to Council for potential flood waters.

Councillor LePage: I voted not in favor of this Special Permit request as the placing of self- storage containers (PODS) at this location would not be beneficial to the city as described in letters from the Engineering Department, the Fire Department and the Conservation Commission.

Councillor Bevilacqua: The project was not the highest or best use for the district. There were concerns cited and unanswered questions from various city departments.

Councillor Michitson: I voted against the Special Permit as the requirements were not met.

Councillor Sullivan: I voted in opposition to the Special Permit for PODS because it exceeds the amount allowed under Zoning Ordinance Section 120-16; placing more than two regulated storage containers for more than six months is not in the best interests of the neighborhood or for Haverhill at this location.

Councillor Jordan: I voted against the Special Permit of the self-storage PODS on Lincoln Ave. for several reasons. The applicant failed to address the concerns raised by the Conservation and Engineering departments despite having several months to do so. Also, I believe the PODS look very unattractive and are not the best use of that space.

Councillor McGonagle: I voted against this Special Permit based upon the City ordinance limiting the use of temporary storage structures.

Councillor Daly O'Brien: I voted against the Special Permit for storage containers at River's Edge Plaza because it was a poor re-utilization of a vacant property and not a positive improvement in the Riverside neighborhood.

Councillor Macek: My decision to not vote in favor of the U-Hall Special Permit request was based upon multiple inadequacies in the application, including the failure to address flood plain and retention area concerns that were raised by the Conservation Commission and City Engineer. Additionally, the application was filed under a City Ordinance to include a large number of outdoor storage units throughout the large parking lot. During the presentation these outdoor storage units were stated to be a necessary part of the U-Haul project in order to make it profitable. Therefore, the outdoor storage units were a Primary component of the project, but the Ordinance under which they filed their Special Permit application specifically stated that it is for Accessory storage and not Primary. These are the primary reasons I did not support the Special Permit application.