

**DOC. 121/2019– MINUTES OF A SPECIAL PERMT HEARING, JANUARY 14, 2020 FOR PETITION FROM PHIL RICE – KRUEGAR LLP REQUESTING TO BUILD WITHIN THE WATERFRONT DISTRICT – 5 RESIDENTIAL UNITS WITHIN THE EXISTING BRICK STRUCTURE ON THE 2<sup>ND</sup>, 3<sup>RD</sup> AND 4<sup>TH</sup> FLOORS; TO BE USED AS RENTAL UNITS; AT 4 BATCHELDER COURT, ASSESSOR’S MAP 304, BL. 56, LOT 1**

**SUBJECT:** Document 121/2019 - Petition from Phil Rice, Kruegar LLP, requesting to build within the Waterfront District 5 residential units within the exiting brick structure on the 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> floors to be used at rentals at 4 Batchelder Ct., Assessor’s Map 304, Bl. 56, Lot 1

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

City Clerk Linda Koutoulas: Document 121- Petition from Phil Rice, Kruegar LLP, requesting to build within the Waterfront District 5 residential units within the exiting brick structure on the 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> floors to be used at rentals at 4 Batchelder Ct., Assessor’s Map 304, Bl. 56, Lot 1. Filed in Council 12/10/19. Comments are included from City Departments.

Council President Barrett opened the hearing.

Mr. Phil Rice, 427 E. Broadway, informed that the building has been underutilized for 4 years. It houses Oliva’s/Krueger’s restaurants. There will be 5 residential market rate units. He will use 100 % of the existing footprint. New utilities and windows were installed when the building was rehabbed for the restaurants. There will be no outside excavation. The parking spaces will be in a vacant parking lot that he owns on Locke Street. There will be 8 leased spaces available. The project requires 6 spaces. Entry into the units will be from the rear. The building does not have an elevator. He stated the City endorsed the mixed use of the building. The next step, if approved, would be site plan and permitting by the city departments. No one spoke in favor or against the petition.

Councillors remarked that the housing is needed and that this is a good project. In terms of the elevator, Mr. Rice commented that heavy equipment was moved by using the stairs.

President Barrett closed the hearing.

On motion of Councillor Macek with a second from Councillor McGonagle to approve the special permit as recommended by Planning Director Pillsbury’s letter dated January 10, 2020. Also, to approve a waiver from the affordability requirement and inclusion of all letters from department heads.

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-yes, 9 yeas, 0 nays.

President Barrett: That passes.

Respectfully submitted,

Barbara S. Arthur  
Executive Assistant  
Haverhill City Council

January 27, 2020

**REASON FOR VOTE - DOCUMENT 121/2019  
SPECIAL PERMIT – JAN. 14, 2020  
BUILD WITHIN WATERFRONT DISTRICT  
4 BATCHELDER COURT**

President Barrett: I voted in favor of the special permit because it complies with the Waterfront District Zoning requirements. It has adequate parking and it will be a positive use of an under-utilized property.

Councillor LePage: I voted in favor of the special permit request with all stipulated conditions and recommendations as it meets the requirements for a special permit pursuant to zoning ordinance Chapter 255-94.

Councillor Bevilacqua: It met the zoning ordinance conditions, recommended approval by the various city departments with conditions including the Planning Director. The project provided off-site parking and provides a need for housing.

Councillor Michitson: I voted in favor because it met the requirements.

Councillor Sullivan: I support this five-unit residential market rate housing project as it complies with Waterfront Zoning District and will be an asset to this area of downtown Haverhill, both for the residents who will live there and for the downtown businesses.

Councillor Jordan: I voted for this project because it adds to our housing stock, has more parking than is required, and the developer has a proven track record of doing high-quality work in Haverhill.

Councillor McGonagle: I voted in favor of the special permit based upon the recommendation of the Planning & Economic Development Director.

Councillor Daly O'Brien: I voted for this special permit because it provides a substantial investment in our downtown and will add to the city tax base. It's a re-use of an existing historical building.

Councillor Macek: I supported the special permit as it was compliant with zoning and Haverhill's initiatives for the area of downtown.