

MINUTES OF A CITY COUNCIL SPECIAL PERMIT HEARING HELD ON APRIL 29, 2014, PETITION FROM GINA TOMACCHIO REQUESTING A SPECIAL PERMIT BE GRANTED TO ALLOW FOR A USED CAR DEALERSHIP AT 251 WINTER ST., ASSESSOR'S MAP 306, BLOCK 76, LOT 2, WITH A REQUEST FOR 25 SPACES.

SUBJECT: DOC. #40- Petition from Gina Tomacchio, requesting a special permit be granted to allow used car dealership at 251 Winter St., Assessor's Map 306, Block 76, Lot 2.

Present: President John A. Michitson, Councillor Robert Scatamacchia, Councillor Melinda Barrett, Councillor William Macek , Councillor William Ryan, Councillor Thomas Sullivan, Councillor Michael McGonagle and Councillor Colin LePage.
Councillor Mary Ellen Daly O'Brien was absent.

City Clerk Linda Koutoulas: Doc. #40 - Special Permit request from Gina Tomacchio to allow a Used Car Dealership at 251 Winter Street, Assessor's Map 306 Block 76, Lot 2. Comment sheets are included from City Departments.

President John Michitson: Announced this will be a public hearing, hearing is opened.

Gina Tomacchio, 951 Ocean Boulevard, Hampton, New Hampshire. I am requesting a special permit for the Maine Gulf of Seafood to go back to its original roots which was a used car dealership on 251 Winter Street.

President Michitson: Are you aware of the recommendation that came from the Police Chief? In terms of the number of parking spaces.

Gina Tomacchio: Yes, I met with him yesterday and I had to revise the plot plan and I have a copy for everybody and can pass them out if you need one.

President Michitson: We do have a copy. Is there anyone else who is in support of this that would like to speak? There was no one else. Is there anybody opposed that would like to speak? Is there anybody opposed that would like to speak? No one was opposed. Hearing was closed.

President Michitson: Council, what is your wish?

Councillor Macek: I would like to move for passage of the special permit and I would like to also say a few words if this would be the appropriate time.

Councillor Ryan: I will second it.

Councillor Macek: I did have the opportunity to discuss this proposal with the owner of the property, Phil Rice, who is here tonight. Actually got more information that I knew. I knew I had a background of this property, but Phil took me all the way back to when it was a gas station, and then it became a car wash, and then I think it has had 4 or 5 different used car operators on it. All of them very successful and most them moved onto larger locations. Then it converted to a fish market for a few years and that's when it took on a different conformity for usage and that's why it's here tonight. Based upon that they needed to come forward officially convert it back to its roots, in a sense, back to what it's always been and that's something related to automobiles and I believe it's a good spot for that and I am going to fully support this and hope that my colleagues agree. Having a property which isn't being used is also something the city should do its best to not have happen. I think this would be a very appropriate use considering traffic count and location.

President Michitson: We'll come back to you for an amendment.

Councillor Ryan: I want to echo what Councillor Macek has said. It's really the best use for that property. It was a used car lot for many years. Phil Rice did a good job getting them fish markets in there. They were both excellent. My wife was always saying I love that fish market down there. Unfortunately, they didn't have the traffic. I think everybody was hoping they would make it and be viable. There just isn't that much traffic in that neighborhood for those types of endeavors. I would like to see it occupied again. It does make sense as a used car lot. Got a lot of traffic there. Somebody who had it way back put a big chain link fence up front. I think it is good for security reasons, But I don't think it helps selling when they see a chain link fence. Keep it well lit and you won't have people smashing the vehicles or doing vandalism. One of the main issues here, these abandoned buildings do so much damage to the city and hurt the image of the city. When people come around from Lafayette Square which has really been revitalized, it's in great shape, they look at the former JP Stevens Textile mill with graffiti, it's a terrible eyesore, and they go a few more feet and there's an abandoned dinner on the corner of Duncan, right across from you, that's been sitting there empty, an eyesore, nobody is ever going to open up a dinner there. I'd like to see the city put that on the demolition list. It's just a terrible eyesore.

Councillor McGonagle: I intend to support this as well. I think it was an awesome place for a car dealership and know it will be that way again. I really support what Councillor Ryan just said and also Councillor Macek. The last special permit that came before us for High Street, I would like to have seen that move in the right direction. As people say, empty property does no one any good in the city. When we have someone willing to invest, willing to change, willing to try different things with the fish markets, that was fine it didn't work, back to its roots is fine. I think that's what I would like to see more of here personally, is support the special permits when they come thru, that makes sense for the area. To get these businesses back paying taxes and getting these properties useful. It brightens up the neighborhood, it cleans up the neighborhood and I think that's what we are here to do. Good luck, and I hope it works out well for you.

President Michitson: Councillor Macek would you like to offer an amendment?

Councillor Macek: I would like to move at the Police Chief's request, that we amend with a new map dated April 28, 2014, which has been provided to us, showing 20 used car spots allotted for employee, customer and used car sales, versus the 25 that were originally applied for. Move to amend the special permit by inserting the new map.

President Michitson: Motion by Councillor Macek seconded by Councillor Barrett. Madame Clerk, please call the roll.

City Clerk Koutoulas: Councillor Scatamacchia-yes, Councillor Barrett-yes, Councillor Macek-yes, Councillor Ryan-yes, Councillor Sullivan-yes, Councillor McGonagle-yes, Councillor LePage-yes, President Michitson -yes. 8 yeas, 0 nays, 1 absent.

On motion of Councillor Macek to move that the special permit be granted as amended

President Michitson: Motion by Councillor Macek seconded by Councillor Barrett. Madame Clerk please call the roll.

City Clerk Koutoulas: Councillor Scatamacchia-yes, Councillor Barrett-yes, Councillor Macek-yes, Councillor Ryan-yes, Councillor Sullivan-yes, Councillor McGonagle-yes, Councillor LePage-yes, President Michitson -yes. 8 yeas, 0 nays, 1 absent.

President Michitson: That passes.

Respectfully submitted,

Barbara S. Arthur
Administrative Assistant
Haverhill City Council

May 13, 2014

REASON FOR VOTE - DOCUMENT #40
Special Permit to Allow Used Car Dealership at 251 Winter Street

In granting the special permit, those members voting in favor found that the application fulfills all of the general conditions contained in Chapter 255-76 of the Haverhill Zoning Ordinance.

President Michitson: I voted in favor because it met the requirements of the zoning code.

Councillor Scatamacchia: I voted for the special permit because it is appropriate and it is the best use of the property.

Councillor Barrett: I voted for the special permit because it will create a positive change for the city in filling a currently empty lot. The Special Permit returns that piece of property to a former use that had been successful over the years. It provided adequately for traffic and safety with the limited number of spaces in the lot.

Councillor Macek: I voted in favor because the Special Permit request was for a use that had historically been conducted on the property and was in the best interest of the City.

Councillor Ryan: I voted in favor because this project was in the best interest of the City.

Councillor Sullivan: I voted in support because the applicant met all the requirements to approve a used car dealership at this location.

Councillor McGonagle: I voted to support this based upon the department head letter from the Building Inspector and the positive effect the business will have in that neighborhood.

Councillor LePage: I voted to support the special permit based upon the Police Chief's recommendation to amend the request to 20 parking spaces instead of 25.