

DOCUMENT 17- MINUTES OF A HEARING HELD ON MARCH 10, 2015, FOR SPECIAL PERMIT APPLICATION FROM ATTORNEY MICHEAL MIGLIORI FOR OWNER/ APPLICANT GARY A. CARUSO, TRUSTEE OF 194 MAIN ST. REALTY TRUST, TO BUILD 5 CONDOMINIUM UNITS IN TWO BUILDINGS AT 46-50 PRIMROSE STREET, PARCEL ID: 306-78-1

SUBJECT: DOCUMENT 17 – Petition from Attorney Michael Migliori for owner/applicant Gary A. Caruso, Trustee of 194 Main Street Realty Trust, for a Special Permit to build 5 condominiums in two buildings at 46-50 Primrose Street.

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

City Clerk Linda Koutoulas: Document 17, Petition from Attorney Michael Migliori for owner/applicant Gary A. Caruso, Trustee of 194 Main Street Realty Trust, for a Special Permit to build 5 condominiums in two buildings at 46-50 Primrose Street. There is a favorable recommendation from the Planning Board to include department reports and favorable conditional recommendation from Planning Director, William Pillsbury

President Michitson: Opened the hearing

Good evening President Michitson, members of the Council. My name is Michael Migliori. My offices are at 18 Essex Street Haverhill and I am representing Mr. Caruso. The applicant, who is also here this evening. Unfortunately, our project engineer, Mr. Stapinski is out of the country and the architect, Mr. Albert, I believe is on vacation. Any questions with respect to engineering or architectural detail Mr. Caruso and I will do our best to attempt to answer for you. As you are aware, Mr. Caruso is seeking a special permit to construct 5 condominiums in two buildings. Sites of parcel that fronts on three streets, Primrose, Charles and Harrison. All of which is depicted on plans that have been submitted to you. Although this is a rather modest project and its only 5 units to be owner occupied condominiums, we are of the opinion that it's a very important project for an inner city neighborhood such as this one. The site has been vacant, as you probably all aware, for many years. The City has been very supportive in hoping this will complement the things that they have been trying in the area to improve the living conditions for those who reside there. Mr. Herlihy, the Director of the Community Development Department, has been very supportive of this project, has written a letter of support which I think is accurately summarized in the statement in the letter where he says "this proposed project complements these efforts to revitalize this neighborhood". The City has been doing a lot in the inner area, again, that's been with public funds. This is private development which I think is an important cornerstone up there. The project started at the Board of Appeals back in November. It started as a 6 unit project. The Board of Appeals indicated that they thought a 5 unit project would be a better match for the site. The Board of Appeals was of the opinion that perhaps a 5 unit complex as opposed to a 6 unit complex would make more sense. Mr. Caruso agreed to re-work the design and the layout. Remove one of the units which resulted in some additional green space and probably be able to support some additional amenities for the project. The Board of Appeals at their December meeting voted to support the project and approve the request. The next stop in the process was the Planning Board which held its hearing on February 11th. The Planning Board did make a favorable recommendation back to the Council at the conclusion of the hearing. You've all received the Planning Board comments along with the various department comments. Mr. Caruso has no objection incorporating all of those comments from Planning and other city departments into any decision the Council makes this evening. Again, the proposal before you tonight contains a two unit building fronting on Charles Street and a three

unit building on Primrose Street. The Primrose Street building, because of the contour and slope of the lot allows for garages under. Each one of those units will have garage under. The access to the site is located on Harrison Street which is the safest location to ingress and egress the site. The site does contain the required number of parking spaces on site. There won't be any off-site parking in that neighborhood. The project does meet the requirements contained in the city's zoning ordinance. It has been deemed to be a desirable use for the public convenience and welfare. The request does not impair the integrity or character of the neighborhood and it's in conformity with the goals and policies of the City's Master Plan. The project does provide for safe vehicle and pedestrian movement within the site in relation to the adjacent streets. It is serviced by all required utilities, water, sewerage. The project has the adequate off street parking and unloading of vehicles. In summary, we believe the project will represent a significant improvement to the area and the neighborhood. It will provide for home ownership for 5 families. Will involve significant private investment in an inner city neighborhood while providing additional tax revenues to the city. We are hopeful that the Council will provide us the approval. Mr. Caruso is anxious to get the project moving and build it out. I'll end my presentation. We are available for any comments or questions.

President Michitson: Thank you very much. Is there anybody else in favor that would like to speak? Is there anybody else in favor that would like to speak? Is there anyone opposed that would like to speak? Is there anyone opposed that would like to speak? I now close the hearing. Council what is your wish?

Councillor Macek: Let me just ask a couple of quick questions. Attorney Migliori, let me start by saying that I was very happy with your presentation. Very happy with your client's mappings and layout; very professionally done. No questions that I couldn't look and figure out by looking at the detail on the map. I appreciate that very much. The one thing, is your client anticipating selling the units as condominiums or keeping or using them for rental property?

Attorney Migliori: Selling them as condominiums.

Councillor Macek: Okay. That's fine. I did notice on the plans that there is a dumpster location in the parking area in the rear. Is there an intention for you to go private with your trash? Or would you be utilizing the municipal pickup?

Attorney Migliori: I believe the plan conceptually now is that would be maintained by the association and would in all likelihood, the best way to handle it for a 5 unit condominium complex we thought would be to have a central location to be maintained and handled by the association thru the association fees.

Councillor Macek: So there is at least the likelihood or possibility that there would be no impact as far as tipping fee for additional trash from this project?

Attorney Migliori: That's correct.

Councillor Macek: And the only other thing that I would like to add, that I would hope that the condo docs would hopefully, have some kind of recommendation or policy for recycling. Just because I think that's a thing we should all be aware of and doing to the best of our ability. With that being said, I would move that the special permit be granted. I would like to add the conditions that have been recommended by our Planning Director Bill Pillsbury.

President Michitson: Motion by Councillor Macek and seconded by Councillor Daly O'Brien.

Councillor Barrett: Mr. Migliori, all the parking is inside the courtyard?

Attorney Migliori: Yes

Councillor Barrett: And there is parking on Charles and Primrose, like if you have visitors or?

Attorney Migliori: I assume that parking on those streets is allowed. I don't know the details of it. I assume it is allowed on the streets.

Councillor Barrett: Because Harrison is kind of tight.

Attorney Migliori: Right

Councillor Barrett: Okay, I just was wondering. All your residents will be parking inside presumably?

Attorney Migliori: Yes

Councillor Daly O'Brien: How many square feet for each unit? Are they all equal? I figure you must have a ballpark idea of the square feet.

Mr. Caruso: Approximately 1,200 square feet gross.

Councillor Daly O'Brien: Is the center one on the three building, is that the same, is it really the same size?

Mr. Caruso: They will all be the same (inaudible) for each unit

Councillor Daly O'Brien: Which street did you same the entrance to the back area?

Mr. Caruso: Harrison

Councillor Daly O'Brien: You know one of the things I really applaud is the fact that you scaled back the project to add green space and to have more space around the building. I think that is so important especially in that neighborhood. It's a rather crowded neighborhood. It's a very old neighborhood. I love your concept. I hope you stick to it. I think that fits that area really really well. It's a great re-use of a piece of property that's laid vacant for a long time. I think that we as a Council have done what we can to always encourage re-vitalization in these neighborhoods that really need it. I applaud what you've done and I really like it and I will be supporting it tonight.

Councillor Sullivan: I, too, will be supporting this and I want to thank you for investing in Haverhill, especially that neighborhood. It's inner city. It's the acre. We could always use improvements in that neighborhood and I think this is the type of quality development that will serve as a catalyst for hopefully other improvements in the general area. I do intend to support this and I do want to commend you for a very responsible project. Thank you.

Councillor McGonagle: I, too, will support this. My only question or one thing that I would like to see, or a pet peeve of mine, not even a pet peeve, no windows on the ends of the building. Not a deal breaker, but you know, to add light or all the ends, 4 ends. There are no windows.

Mr. Caruso: I'm guessing the architect didn't make the revision based on what he was assuming might be furniture layout. It's certainly something we could address with him.

Councillor McGonagle: I think it looks better than looking at that whole thing. I assume it will be siding, vinyl siding on the outside.

Mr. Caruso: Probably a sementitious siding for the vinyl.

Councillor McGonagle: No windows, it kind of just makes it, I love the way he's put this together. The front, the back. They look great it's just that the sides leave a little bit.

Mr. Caruso: Maybe, that may be a bed wall. Maybe that's why he left it.

Councillor McGonagle: I grew up on Primrose Street. They will be clean, they will be neat. They will spruce up the place. It's 1,200 square feet, that's not bad. I am going to support this as well. Thank you for your investment.

President Michitson: This is a good project and Madame Clerk, please call the roll.

Councillor Ryan: I am going to abstain from voting because I have property that's very close, couple of doors away.

President Michitson: Thank you Councillor. Madame Clerk, please call the roll.

City Clerk Koutoulas: Councillor Barrett-yes, Councillor Macek-yes, Councillor Ryan-abstain, Councillor Sullivan-yes, Councillor Daly O'Brien-yes, Councillor McGonagle-yes, Councillor LePage-yes, President Michitson-yes. 7 Yeas, 1 Abstain, 1 Absent

President Michitson: That passes.

Respectfully submitted,

Barbara S. Arthur
Administrative Assistant
Haverhill City Council

March 19, 2015

REASON FOR VOTE - DOCUMENT #17
Special Permit – 46-50 Primrose Street, 5 Condominium Units

In granting the special permit, those members voting in favor found that the application fulfills all of the general conditions contained in Chapter 255- 94 and Chapter 255- 80 (as applicable) of the Haverhill Zoning Ordinance.

President Michitson: I voted in favor because it complies with all requirements.

Councillor Barrett: The project improves and revitalizes a vacant property. The project provides adequately for traffic and parking.

Councillor Macek: I supported the special permit request because it was designed to improve the area and to provide quality housing.

Councillor Sullivan: I voted for the Primrose Street 5 unit condominium project because I believe it will provide quality housing opportunities for individuals and families in this neighborhood.

Councillor Daly O'Brien: I voted yes for this special permit because it represents a substantial investment in a neighborhood that needs revitalization; it provides sufficiently for traffic and public safety and it's a great re-utilization of a long vacant property.

Councillor McGonagle: I voted in favor of the special permit based upon the recommendation of the Economic Development Director and the positive impact on the neighborhood and community.

Councillor LePage: I voted in favor of this special permit application, with the proposed conditions and stipulations conferred by city department as it provides sufficiently for traffic, public safety and other utility considerations.