

DOCUMENT 72/2011 MINUTES OF A HEARING HELD ON APRIL 24, 2012 FOR SPECIAL PERMIT APPLICATION FROM ATTORNEY JAMES WALDRON FOR ALAN HOPE TO BUILD 4 MULTI-FAMILY DWELLING UNITS ON GRAND AVE IN 2 BUILDINGS FOR RENTALS AND CONDOS.

SUBJECT: Doc.#72/2011 – Special Permit for a multi-family housing on Grand Avenue submitted by Attorney James Waldron for applicant Alan Hope to build 4 multi-family dwelling units in 2 buildings for rentals and condos.

Present: Council President John Michitson, Councillor Robert H. Scatamacchia, Councillor Michael Hart, Councillor William Ryan, Councillor Sven Amirian Councillor Michael McGonagle, Councillor William Macek, Councillor LePage, and Councillor Mary Ellen Daly O'Brien.

City Clerk Margaret Toomey: Doc.14 - An application has been received for a special permit for a multi-family housing on Grand Avenue submitted by Attorney James Waldron for applicant Alan Hope to build 4 multi-family dwelling units in 2 buildings for rentals and condos. A conditional favorable recommendation has been received from the Planning Board and the Planning Director.

Acting President Scatamacchia opened the hearing.

Attorney James Waldron, I represent the applicant. I am going to keep my remarks somewhat short. The Council has been furnished with a very comprehensive report from the Planning Board and the Planning Director specific in all. We had quite a long hearing. I'm going to go through what I think with the highlights because that's been included in your minutes and open it up for questions. I have with me Alan Hope who is the applicant and the builder in the property. Both of us would be very happy to answer any questions that you might have on the project. As stated in the opening last week, this is an application for a special permit from the City Council to construct 4 units of residential housing in two buildings on Grand Avenue. Grand Avenue I consider to be in the urban core of the city. The neighborhood consists primarily of multi-family units, 2, 3, and 4 family housing. There's a 16 unit building on one side. In the rear on Winter Street there's commercial. It really is in the urban core of the city. The property is vacant but at one time it had a three family home on it from the work we've done. If you walk around the property without the snow being on it, you can see the remains of a stone wall. That's typical of many of these vacant lots that are in the acre in that urban part of the city. There were fires. The old map shows that they had multi-family housing on them. As many of you are aware, if you go around the city, these vacant lots soon become a magnet for litter and people leave things in. The owner of the property is held responsible although they didn't cause it. That's why I think this type of housing in the center of the city fills in these missing teeth is what they are and really fills out the neighborhood and improves it. The property has received dimensional variances from the Appeals Board. There weren't an awful lot of them. The parking is fine. I think there are a couple of variances that are minor but we got a unanimous vote of the Appeals Board. The plans have been reviewed by the City departments. The City Engineer and the Fire Department has reviewed the plans. Their recommendations are included in your planning board report. If you are of a mind to approve this project you can incorporate those by reference because we have agreed to both of those at the Appeals Board and at the Planning Board. The findings that are required by the City Council to grant a special permit. It's been a time since we've had one. I can't remember that I've had one in the last two years. You can remember back three, four years ago these used to be at least one or two a month. I think it's good news for the City that you have a seasoned developer who sees that things are beginning to change and is willing to put in the resources necessary to do this project. I think it's good news for Haverhill, it's back on line. As you noticed from earlier in this evening, I filed an eleven unit on River Street which is also another piece of good news residential construction is back. The general conditions that you must find, one that the use is allowed, and that's been allowed by the Board of Appeals. It is residential so allowing the use of residential housing in there meets what's in

the neighborhood right now, which is right down the street. There's no commercial on the street. It's all residential. That the requested use is desirable to public convenience and the welfare. As I said, we feel the new residential development on that street will pick it up. Actually, I go up and down that street a couple of times a week for other reasons. The street's in good shape. There's nothing boarded up. Development in this lot I think will really help that neighborhood along. Another good reason is the property is now assessed for \$70,000 that is the minimal amount of taxes it generates. According to the Assessor's four units would result in an \$800,000 assessment. So that's a big improvement in the property. Certainly would benefit the City as well as benefit the neighborhood. As I stated before, the Planning Board has had a full hearing; has given a unanimous recommendation for approval. The City Planner has been in on this before it was even designed we met with Mr. Pillsbury and told him what we wanted to do. He listened and said I'll give it my support and he certainly has done that enthusiastically. That would conclude my remarks. Mr. Alan Hope and myself will be here to answer any questions that you might have.

Acting President Scatamacchia: Is there anyone here who would like to speak in favor of this special permit? There was no one. Is there anyone opposed? There was no one.

Co. Ryan: I would like to say, I think a very positive shot in the arm for that part of the City and I want to thank the developer publicly. I think that area is coming back by leaps and bounds. Right down the street the Petrou family is going to take the old Radio Market, it's going to be a steak house. They are well on the way. That whole area is coming back and I think you folks are really the force that kicks it off. Not that I want to correct Jim, I remember that building that was there was foreclosed in the 80's was an eleven unit flop house. It was very dilapidated and a real eyesore and the cause of a lot of crime and problems in the whole area. It burnt down and as Jim says, it's a quiet street now with that building gone. I think the fact that we are replacing it with brand new housing that's going to have a real positive impact on the area. Anybody in that area I'm sure there are jumping up and down with joy that you are making this investment and I think you'll be very successful. Thank you and I intend to support you.

Co. LePage: Could I ask Mr. Hope a couple of questions concerning the building.

Alan Hope: My name is Alan Hope and I live on 370 Great Pond Road in North Andover.

Co. LePage: In the minutes that we received from the Planning Board, it stipulates that you build to the top energy code. Could you explain what that means?

Alan Hope: Currently we are building in Lawrence Massachusetts. We are building four units, the same numbers we would like to build in Haverhill. We have been certified as an energy star company for the project. I would like to carry forth what we did there in our building over here if we get permission to build here. Of course there are various phases as you evolve or graduate in this energy star program. The doors, windows have a certain R rating; the walls would have a certain R rating, taping the joints. Anything that is very common to overlook what is really basic. The basic things just need to be redone. I'm not technically an expert on it but we do have people who come, consultants who come and investigate what we are doing and making sure that we are doing things correctly. There is some form of balance, some form of assessment.

Co. LePage: That exceeds the current building code in Haverhill correct? Mr. Hope – correct.

Co. LePage: Is there additional costs for you to build with those materials, the windows, the doors. Do you know how much that is versus, do you have an idea?

Mr. Hope: No. This is the first project we've done of this nature. We are fortunate in this case to have received a HUD grant to do the building. So I think we are really being super energy efficient in this because of the requirements of the grant. When it comes to building in another location we'll have to assess the economical costs and benefits of doing so. The basic, what I call the basic, the lights the windows and the doors will certainly be done.

Co. LePage: You are looking to have a better home product by putting better materials into and having it be more energy efficient. Mr. Hope – yes sir. Co. LePage – so the owner of the house overtime is going to realize appreciable savings because they will be spending a lot less on the energy. I just want to know if you had a tradeoff in the cost upfront versus what it will take them over the time they are in the house. You also mentioned you have a HUD grant so that is subsidizing so of your building costs also. Mr. Hope – correct.

Co. LePage: You won't have to pass that additional cost of that material onto the buyer's of the house because you have a grant for that. Mr. Hope – correct.

Co. LePage: I also appreciate the location where you are adding to the tax rolls and in-fill housing and I think it's a great idea. I also look through and I see you have storm water run off. You have that taken care of in the conditional format. So if it is looked upon favorably by the council I am in agreement with that.

Co. Macek: In reviewing these plans I too agree that it's favorable to see this type of development coming to the inner city in Haverhill. I do have a few concerns that I'd just like to address and some observations that I would also like to vocalize and get some response maybe reception from the developer. I think we will all agree that it's a small lot. I believe you had to go the Board of Appeals in order to get your authorization to move it through the channels. It's a 90 foot lot but it also has a 15 foot easement on the one side which takes away your ability to develop that portion. It's a tight fit. It's especially a tight fit for parking and that's where my real concerns lie. Because under our zoning, it fits. I'm going to actually bring something in after; I've spoken to our Planning Director once about our current zoning that includes garage under and tandem parking when you have a spot right behind it that you can count that as two. I don't think it's practical especially with this type of a fit with four units. With all that being said, I think it does conform to our zoning and I am going to ultimately go along with it because it is what we are allowing at the current time. I just think it's really not ideal and I would like to maybe, at some point in the near future, bring in some discussion and maybe some recommended changes for our zoning. The snow area which we have no city standards for is smaller than two cars. If we were to have another winter, which I believe we can have, like we have now, there's not going to be enough area to really pile the snow. Once again, it conforms to zoning, so we have allow to go forward. Something else I think we should maybe at least have some discussion on in the future. I would like to see, and I have asked in the past right in that vicinity to, as a matter of fact, when I got on the Council a little over seven years ago the first plan was on Locust Street when we allowed I believe for six units, and it was very similar to this. They were three unit buildings I believe and they were set sideways, and what I would like to see is some curb appeal and some streetscape. You have twenty-three plantings on your little plan that you hand out. I am not going to say you have to do twenty-three trees and/or shrubs, but I would like to see a commitment to have some good curb appeal on the side between the building closest to the street and that blank side of the house. That would be, usually what we ask for is some kind of evergreen shrubbery that is fairly close and maybe some additional landscaping. With all those comments being stated, I would just like to say there are some proposed conditions and stipulations in the Planning Director's letter along with his recommendation and at the appropriate time I believe it's important that we include all of those requests and stipulations and conditions. Other than that I wish you well and thank you for coming to Haverhill.

Attorney Waldron: John Pettis in his remarks addressed the curb appeal. I neglected to mention this is not the end. We must go back before the Planning Board as the zoning provides and do a complete public hearing for a, I never can think of the name of it, (Co. Macek – definitive plan). It's a Planning Board approval for all of the utilities and curbing and planting and all of that. That hearing has already been scheduled in the interests of saving him time should you decide you are in favor of it.

Co. Daly O'Brien: I really want to say how much I support this. I think the revitalization in that section of the City is one of the most important things that we can support. I agree with my fellow Councillor that curb appeal is so important in that part of town that's what makes the difference and that's what made the difference with that other project is that we brought green in to a part of the city that's really been devoid in all sense, if you really look at everything. I'm hoping that the parking can be mitigated in some way for the same reasons he's saying. I'm not sure and I don't know off the top of my head how much street parking there is around there but even on my street which is a local street in this neighborhood not too far from city hall, parking is a real problem because we have only certain sides of the street in the winter. It causes a lot of trouble. I am not sure at this point what you can do to make that better. Maybe the condominiums are going to have to look at snow removal in order to keep enough space open and get those cars off the street. That's something that's going to have to probably how they set up their condominium by-laws or whatever they do. Or, if it's going to be owned and rented, whoever owns the building should think about snow removal in order to keep those cars off the street. Certainly this year was more snow than we've had in a couple of years, but, we have had snow like this in the past. I just think that's really important. Most of all, the fact that we are re-vitalizing a part of the city, along with everything else that is happening down there, I am also happy to welcome you to Haverhill and I look forward to seeing the finished product.

Co. Hall: First of all, I am definitely going to support it. I was kind of excited when I saw the plans come. I think that I can appreciate this more than the average person and the really am going to support this is that for forty years on the street, Grand Avenue was nothing where the police were constantly there 24 hours a day. The beauty of what's there now is mostly you have single family homes across the street from where you are going to build. The only black eye that I can see is 34 Grand Avenue but that's been there for 40/50 years and it's something that's not going away. I can remember when DeLuca came over on Locust Street and they were going to put the six units over there and there was some doubt about it, was it going to work. This has never been a problem. I checked with the police. They never go there. It's an asset to the neighborhood. Also, where you are going to go next door to you is a big huge parking lot owned by the Greek Church and they only utilize that during events and stuff. I mean there is going to be additional parking. But that street is wide enough for parking on both sides even if you are not in your driveway or in your garage. You have plenty of room out there on Grand Avenue on the left and right. I talked to a couple of neighbors down there. One of them is a business man and he's excited to see it because it's been nothing but blight there. I can remember the one that was owned by Dr. Chooljian. It was three in the front and four in the back. It was something that really wasn't a nice neighborhood. I see that the rendering that you are doing here, I think you have a lot of courage, to come in there and do this. I think it's going to pay dividends because I think you are going to get a good class of people and I'm hoping it's going to be people who are going to utilize our train station to go back and forth. I can't say nothing bad. I wish you good luck. Like I said, you have a lot of courage to come in here and just the fact that Attorney Waldron gave us this figure from \$70,000 to \$800,000 that's got to tell you something about the quality of units that you are going to make. Congratulations and good luck.

Co. Amirian: I am also going to support this tonight. I think we've heard some interesting discussion about questions that this project has raised. I hear over and over again the parking issue. Whether or not this is going to generate a parking issue is a discussion for another day but it does open up that topic for us to look at our zoning to figure out how we are going to move forward with more of these in-fill projects and still meet the requirements or maybe we have to revise the requirements of parking. As I

said, that's a discussion for another day. I am pleased to hear that this is being built to energy star certification. I know a little bit about that certification myself and I know that in the last year of the forty or so residential homes that were built only one of those forty or so was an energy star home. That's sort of a sad testament because with the escalating energy prices that we have today, the operating cost of a home is going to be every bit as important as the mortgage, the insurance and the other expenses associated with a home so I think you are doing a very important thing here and addressing energy concerns not just for today but for the future. I would be very interested to keep in touch with you to see how this plays out, if you are going to be doing a HERZ energy rating score to this home, I would like to find out what that is. You know we have to highlight these kinds of special projects that go above and beyond our current energy efficiency code. That's very important. Good work and hopefully you'll have more in the future.

Acting President Scatamacchia: Co. Macek you'd like to offer some amendments.

Co. Macek: I would like to move that the special permit application be granted and that it be conditioned with the proposed conditions and stipulations as stated in the Planning Director's letter along with his recommendation that all items in the letters from the city departments along with the requirements for special permits are made part of the special permit for this project.

Acting President Scatamacchia: Second Co. Hall. Call the roll Madame Clerk.

Clerk Toomey: Councillor Ryan-yes, Councillor Young-yes, Councillor Hall-yes, Councillor LePage-yes, Councillor Daly O'Brien-yes, Councillor Amirian-yes, Councillor Macek-yes, Acting President Scatamacchia -yes. 8 yeas, 1 absent.

Acting President Scatamacchia: Permit special as amended by Co. Macek, second by Co. Hall. Call the roll.

Clerk Toomey: Councillor Ryan-yes, Councillor Young-yes, Councillor Hall-yes, Councillor LePage-yes, Councillor Daly O'Brien-yes, Councillor Amirian-yes, Councillor Macek-yes, Acting President Scatamacchia -yes. 8 yeas, 1 absent.

Acting President Scatamacchia: Permit is granted. Good luck with the project.

Respectfully submitted,

Barbara S. Arthur
Administrative Assistant
Haverhill City Council

March 18, 2011

**REASON FOR VOTES - DOCUMENT 14
SPECIAL PERMIT - GRAND AVEUNE – TO BUILD 4 MULTI-FAMILY DWELLING
UNITS – MARCH 15, 2011**

Acting President Scatamacchia: I voted in favor of this special permit because it will be an improvement to the neighborhood and quality of housing.

Councillor Ryan: I voted in favor because this is a good project for this neighborhood.

Councillor Young: I voted in favor because it is a benefit to the neighborhood and the City.

Councillor Hall: I voted in favor because this is a blighted area and new construction will make a big improvement in the neighborhood.

Councillor LePage: I voted in favor because it is an improvement to the neighborhood and quality of housing and increase taxes for the City.

Councillor Daly O'Brien: I voted yes for this permit because it will enhance the revitalization of this City neighborhood, it is a reutilization of vacant property and it's a positive project for the City.

Councillor Amirian: I found this project to be in the best interest of the City and based on the recommendation of the Zoning Board of Appeals and Bill Pillsbury, I voted to grant the permit.

Councillor Macek: I voted in favor of the Special Permit as I felt the project was a benefit to the area and the City.