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Ayers Hill fate now in lawyers' hands

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HAVERTHILL -- The fate of the 100-home Ayers Hill development now hangs with city lawyers.

City Council decided to turn over a settlement proposal from Lowell developer K. William Krikorian to the city solicitor to see if he can better the terms. Mr. Krikorian has sued the city over the project.

Councilors said they have concerns about the environmental impact of the project, its location and the number of affordable units in the proposal.

"We don't have a lack of high-end senior housing. What we have is a lack of affordable housing across the board," said Councilor Alana M. Swiec, asking for a quarter of the project to be reserved for low-income families.

The settlement calls for 100 luxury homes to be built for people over 55 on a 95-acre property off Amesbury Road. Clustering the homes on 45 acres, the developer would give Haverhill the remaining 50 acres to use as open space. He would reserve 10 houses for low-income buyers, and make two of those homes handicap accessible.

It is the same plan the council decided not to review last summer, calling it too similar to a 115-house plan that councilors already rejected.

Mr. Krikorian sued the city in August, asking a court to determine whether the council was wrong in rejecting the larger plan. If he wins, a state judge could require Haverhill to let him build all 115 homes. The case is scheduled to be heard April 17, said Mr. Krikorian's lawyer, Scott F. Gleason of Haverhill.

The city's lawyer will negotiate with Mr. Krikorian and Mr. Gleason before the hearing, but the council must approve any settlement.

Last night, Councilor William H. Ryan said the city could be left without a voice in the process if it does not work with the developer now.

"If we want to be at the table ... now is the time to sit down and discuss this," he said. "Given the track record of these kinds of issues that end up before the court, cities always lose."

Councilor James J. Fiorentini disagreed on Haverhill's chance for success in court, and said reconsidering a project the council had already turned down twice would not be a good move.

"This is word-for-word and line-by-line the same project ... the city voted not to reconsider," he said. It would set a "bad precedent to take a third bite of an apple."

Patricia A. Lesiczka, who said her home at 26 Amesbury St. will be swallowed by Mr. Krikorian's development if it went through, said she is against the project because it could interfere with the environment and with the fields her family farms.

"Do you think the people who own the \$300,000 house are going to let them spread manure" on the fields, she said. "We want to continue farming. ... It's in our blood."

Mr. Gleason argued taxes from the project would give Haverhill some help with its "cash crunch," which includes a piling debt at city-owned Hale Hospital. Because the development is geared to people over 55, it would not be a drain on the schools, he said, and the developer would also share the cost for water and sewer services.



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