

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**AUGUST 11, 2008**

**HEARING BEFORE THE CITY COUNCIL, 6:30 P.M.**

(Continued from July 28, 2008)

- 98-08            Stephen Boucher for Gateway Business Center LLC: Grant a Special Permit for a Mixed Use Development Project at 435 Lancaster Street consisting of 5.95 acres in an Industrial zone and shown on Assessor's Map 443 as Lot 1. (Legal Affairs)

**HEARING BEFORE THE CITY COUNCIL, 6:45 P.M.**

(Continued from July 28, 2008)

- 102-08           David R. Mullaney, 511 Lancaster Street LLC: Grant a Special Permit for a Mixed Use Development Project to allow 15% Commercial use at 463 – 477 Lancaster Street located in an Industrial zone and shown on Assessor's Map 443, as Lots 2, 3 and 4. (Legal Affairs)

**HEARING BEFORE THE CITY COUNCIL, 7:00 P.M.**

- 2-09             David M. Barry: Grant a Special Permit to remove 3,030 sq. ft. of an existing building and replace it with 3,675 sq. ft. of new building at 44 Pond Street, located in the Flood Plain and shown on Assessor's Map 7, as Lot 5. (Legal Affairs)

**HEARING BEFORE THE CITY COUNCIL, 7:15 P.M.**

- 103-08           Gail M. Allen, Chairman of the Board of Trustees and Patrick L. Muldoon, President and Chief Executive Officer, Health Alliance: Modify the Health Care Overlay District, Article XIII as shown on a plan entitled "Modification to the Health Care Overlay District, Article XIII" (Legal Affairs)

**PUBLIC FORUM, 7:45 P.M.**

**REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.**

**ROLL CALL**

## APPROVAL OF RECORDS

### COMMUNICATIONS

- C-7           Relative to the appropriation of \$51,226.00 to the Gallagher Building Salary and Wages Account; same to be transferred from the Gallagher Building Revolving Fund. (Finance)
- C-8           Relative to the appropriation of \$61,000.00 to the Gallagher Building Expense Account; same to be transferred from the Gallagher Building Revolving Fund. (Finance)
- C-9           Relative to the appropriation of \$45,000.00 to the Assessor's Expense Account; same to be transferred from the Emergency Reserve Account. (Finance)
- C-10          EMERGENCY PREAMBLE  
Dean J. Mazzarella, Mayor: Request that the Mechanic Street layout plan prepared by Cullinan Engineering for the Mechanic Street Bridge Project be accepted. (Legal Affairs)
- C-11          Relative to the appropriation of \$5,641.01 to the C.D.B.G. Housing Construction Expense Account; same to be transferred from the following C.D.B.G. Accounts:
- |                                |            |
|--------------------------------|------------|
| L.H.A./F.L.A.S.H. Program      | \$4,900.00 |
| Energy Assistance Program      | 1.00       |
| State Pool Program             | 740.00     |
| Montachusett Addiction Program | .01        |
- (Ways & Means)
- C-12          Dean J. Mazzarella, Mayor: Request that Colin Davis be exempt from the provisions in M.G.L. Chapter 268A (20B) Conflict of Interest as he is currently employed by the City of Leominster School Department and will be taking on a position at the Recreation Department. (Ways & Means)

### PETITIONS

- 6-09          Kate Griffin Brooks: Requests that the City Council consider the adoption of the 43D Policy to formalize the agreement the City has with the State regarding the Expedited Permitting provisions of M.G.L. c. 43D. (Legal Affairs)
- 7-09          James Lanciani Jr.: Allow the Leominster Lions Club to install eight signs throughout the City of Leominster. (City Property)

**PETITIONS, continued**

- 8-09 Jon Andrea Zajon and George Boulgabian: Grant a second hand dealer license to George's Fine Jewelers at 255 North Street. (Ways & Means)

**MATTERS BEFORE THE CITY COUNCIL**

**CITY OF LEOMINSTER-FINANCIAL REPORT**

**FINANCE**

- C-1 Relative to the appropriation of \$55,000.00 to the Highway Street Resurfacing Expense Account; same to be transferred from the Highway State Aid Reserved for Appropriation Account.

**LEGAL AFFAIRS**

- C-3 Mayor Dean J. Mazzarella: Consider taking, by Eminent Domain, rights associated with properties located at 705 Mechanic Street and 720 Mechanic Street as they pertain to the Bridge Replacement Project on Mechanic Street over the Nashua River.
- C-4 Mayor Dean J. Mazzarella: Consider entering into an agreement to obtain rights associated with properties located at 473 Florence Street and 475 Florence Street as they pertain to the Bridge Replacement Project on Mechanic Street over the Nashua River.
- 95-08 David Rowlands, Virginia A. Tocci, John M. Dombrowski, James Lanciani Jr., Robert A. Salvatelli, Richard M. Marchand and Wayne Nickel: Amend the Leominster Zoning Ordinance, Chapter 22 - Sections 22-24, by removing "Mixed Use Development Projects" and inserting in its place a new Section 22-24 creating "Industrial Mixed Use Overlay Districts" (Small and Large) and modify the Table of Uses Section 22-26 to reflect said changes.(A hearing is scheduled for August 25, 2008 at 7:45 P.M..)
- 98-08 Stephen Boucher for Gateway Business Center LLC: Grant a Special Permit for a Mixed Use Development Project at 435 Lancaster Street consisting of 5.95 acres in an Industrial zone and shown on Assessor's Map 443 as Lot 1.
- 102-08 David R. Mullaney, 511 Lancaster Street LLC: Grant a Special Permit for a Mixed Use Development Project to allow 15% Commercial use at 463 – 477 Lancaster Street located in an Industrial zone and shown on Assessor's Map 443, as Lots 2, 3 and 4.

**MATTERS BEFORE THE CITY COUNCIL, continued**

**LEGAL AFFAIRS, continued**

- 103-08 Gail M. Allen, Chairman of the Board of Trustees and Patrick L. Muldoon, President and Chief Executive Officer, Health Alliance: Modify the Health Care Overlay District, Article XIII as shown on a plan entitled "Modification to the Health Care Overlay District, Article XIII"
- 1-09 David Rowlands: Designate Industrial Road no parking on the east side of Eastern Avenue to Jordan Way.
- 2-09 David M. Barry: Grant a Special Permit to remove 3,030 sq. ft. of an existing building and replace it with 3,675 sq. ft. of new building at 44 Pond Street, located in the Flood Plain and shown on Assessor's Map 7, as Lot 5.
- 3-09 John M. Dombrowski: Amend Chapter 21 of the Revised Ordinance entitled "Water and Sewers" by amending Section 21-13 (b) and 21-13 (h) relative to water service and the responsibility of the installation, maintenance, repair, renovation or replacement of the service pipe, stopcock, valve and other fixtures.
- 5-09 Robert Bolio, President BRJ Ltd.: Grant a Special Permit for a Mixed Use Development Project to allow 70% Commercial use and 30% Industrial use at 39 Spruce Street located in an Industrial zone and shown on Assessor's Map 20, as Lot 14. (A hearing is scheduled for August 25, 2008 at 7:15 P.M.)

**PUBLIC SAFETY**

- 100-08 Claire M. Freda: Request the police determine the safety and traffic volume for the possible closure of the bridge on Old Mill Road.
- 4-09 Dick O'Brien, Regional Director for the Trustees of Reservations: Establish two pedestrian crosswalks on Abbott Avenue.

**WAYS & MEANS**

- C-6 Mayor Dean J. Mazarella: Accept a Resolution in regards to the improvements to Imagination Station at Doyle Field.

**MATTERS BEFORE THE CITY COUNCIL, continued****APPOINTMENTS**

Emergency Management- Admin Unit – Diane Beaudoin

Veterans Graves Registration Officer – Claude Poirier  
term to expire June 30, 2009

**NEW BUSINESS****OLD BUSINESS**

President's Drinking Water Oversight Committee

2<sup>nd</sup> Reading Ordinance - amend Chapter 22, Section 16.10 through 16.10.2 (Generally Permitted Uses in an Industrial or Commercial District) to change the Special Permitting granting authority from the City Council to the Planning Board. (Legal Affairs Petition 75-08)

RESOLUTION – to file and accept grants with and from the Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs for the Parkland Acquisition and Renovation for Communities Program for improvements to Imagination Station at Doyle Field (Ways & Means - Communications C-6)

Lynn A. Bouchard  
City Clerk  
August 7, 2008