

HEARING BEFORE THE CITY COUNCIL, MARCH 13, 2017

Hearing opened at 6:20 P.M. with Councillor Freda, Chair of the PUBLIC SERVICE COMMITTEE, presiding. All members were present except Councillor Dombrowski.

This hearing is continued from February 27, 2017

Present at the hearing were the following: Agent-Pat Scorzelli, CEO-John Glowik, DOS-Frank Matthews, Robert Sideleau-Fire Chief, Michael Goldman-Police Chief, Chris Knuth-Health Department, Kristen Kelly-Planning Director, Peter Niall-Building Inspector and Mayor Mazzarella.

The following PETITION was the subject of the hearing:

28-17 Prime Wellness Centers, Inc.: Grant a Special Permit for the use of a new building for the purpose of a Medical Marijuana Dispensary on Lock Drive.

Pat Scorzelli said they have received positive recommendations from the department heads that are here tonight. He believes everything has been submitted except for the Host Agreement which they are waiting for KP Law to draft. He said they are in full agreement with the Mayor regarding the terms of the Host Agreement.

The Mayor provided copies of the Host Agreement to the Council, the Clerk and the Petitioners.

Councillor Cormier asked if they came up with a plan for security and how they are going to secure the building, keep people that are going to the building, both working there and patrons and public, safe and make sure they have adequate security so that our police force is not their security and if there are any conditions they think we can put on this Special Permit if it is granted that should be implemented to insure that they are there.

Chief Goldman said he met with them a few weeks ago and saw their finalized plan. He said if every pharmacy in this City had a plan as secure as they do we would be a lot better off with the pharmacies. Most of what they do is regulated by the State. Their security plan is impressive to say the least. He had a few tweaks he asked for and we had no problem with. He said he has no concern with this outfit and he has learned a lot about medical marijuana in the last few months, being a very anti-marijuana police officer for 29 years. Their security plan is amazing and we have no issue with it. Their security director is a retired Colonel from the State Police who has his utmost confidants. Chief Goldman said he has seen the outdoor grounds plan, the inside plan, their lock system and camera system and have no issues with it. They have far more security than a pharmacy that sells OxyContin.

Councillor Cormier asked if there is anything in their plan that exceeds what they should actually be doing.

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Chief Goldman said he has not seen the guidelines but their security plan is over and above.

Councillor Cormier said they mentioned a direct line to the Police Station, is that something they are still thinking about implementing?

Chief Goldman said he doesn't remember that.

Mr. Matthews said he is aware of other jurisdictions that have actually implemented what is called a dead line or drop line directly to the police department. It would enable those that are inside any of the facilities we have to pick up a phone; it doesn't ring it's a direct line to the front desk at the Leominster Police Department. Therefore it would only be used in emergencies. It is just another add on that is another point above and beyond any of the regulations that are required. But if it was something the Chief wanted it would be implemented immediately.

Chief Goldman said he doesn't think they need it.

Councillor Chalifoux Zephir said there were some issues with the Site Plan and it is her understanding that they got a recommendation back from the Planning Board. She asked the Planning Director if they were all set with the Site Plan.

Ms. Kelly said yes, they came before them with a Site Plan over the summer which was approved at that time for the building and the site, not the use. Recently they came back to us for a minor modification of that Site Plan that included rotating the building and having the parking in front of the building which facilitates the security aspect and opens up the visual of the building which is designed to discourage hiding in the shrubs, etc. They also provided updated landscaping along the side with arborvitaes and the like. It was minor and was approved by the Planning Board and they also gave a recommendation for this petition for the Special Permit.

Councillor Chalifoux Zephir asked if she was all set.

Ms. Kelly said yes.

Councillor Bodanza said in terms of Site Plan Review she looked at probably not all, but most of the criteria in Section 22-13. Is there anything in respect to those criteria under Section 13 that the Planning Board is concerned about in regards to this operation?

Ms. Kelly said no, not at this time. The Vice Chairman Vittoriosso made a point before voting on the recommendation to go through all the criteria in the ordinance to make sure the company was in compliance with all of them and they had no problems with any of them.

Councillor Chalifoux Zephir asked the Fire Chief and the Board of Health Director if they had any concerns or issues that need to be tweaked to satisfy them.

Mr. Knuth said he is satisfied and has talked to them months ago and feels as though they are the best qualified group he has ever seen that has come to the City.

Chief Sideleau said the fire department has no concerns. The building is not big enough to require a fire sprinkler system. He said they met with them and they have no issues with them handling emergencies in the building.

Councillor Bodanza asked the Mayor if he would have a problem issuing the Special Permit conditioned upon that no building permit will be issued until the Host Agreement is fully executed.

The Mayor said he was going to suggest that.

HEARING ADJOURNED AT 6:57 P.M.

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Lynn A. Bouchard, City Clerk and  
Clerk of the City Council

The hearing was re-opened at 7:08 P.M. to let the audience speak.

Alberta Johnson of 28 Aloe Drive spoke in support of the petition.

No one in the audience spoke in opposition.

HEARING ADJOURNED AT 7:11 P.M.

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Lynn A. Bouchard, City Clerk and  
Clerk of the City Council

Hearing opened at 7:12 P.M. with Councillor Freda, Clerk of the LEGAL AFFAIRS COMMITTEE, presiding. All members were present except Councillors Dombrowski and Chalifoux Zephir.

Present at the hearing was James Whitney and Barry Cosimi.

The following PETITION was the subject of the hearing:

29-17 James Whitney: Rezone parcels 503-3-1, 503-3-2, 503-3-3 and 503-3-4 from Industrial to Mixed Use (MU1) at the entryway of the Southgate Business Park.

Mr. Whitney explained that back in 2003 they started a journey to put this business park together. What they did back then was to do a lot of research to make this work and what would keep it from turning into a park that if something happened to the economy it wouldn't end up being abandoned like other parks. He said if you've seen what happened when the economy went down a lot of the buildings in Jytek went down because all that was allowed there were industrial buildings. It was their vision to have a mixed use park with businesses that would cater to the bigger businesses up in the back. There is also a 158 unit residential project that abuts this in Sterling. They envision the first part of this project when you pull in to have small commercial uses such as a bank, coffee shop, cleaners, and similar businesses to go into a small strip mall type setup or single standing building.

Councillor Freda asked how much frontage there was.

Mr. Whitney replied that there was about 1,500 feet and that there was about 2,500 feet of road already put in. He said they applied for two grants back in 2008. One was a MORE grant and the other was a PWED grant. Mr. Whitney distributed copies of the grant applications to the Councillors. The MORE grant was for the water and sewer to the park and the PWED grant was to build the infrastructure and the road. Mr. Whitney referred to the sections of both the PWED and MORE grants applications that indicated the grants were approved with the intention of a mixed use project.

Councillor Freda said that one of the questions they had early on was if any changes to the project would affect either of these grants, but appears that doesn't seem to be the case.

Mr. Whitney said correct. They didn't have copies of the grants the last time they were before the Council, so the question was if they would be jeopardizing the grants and the City would be held liable because they were changing the zoning to commercial. He said it was just to the contrary, it was given to them because of it.

Councillor Freda read letters of recommendation from Economic Development, Planning Board, and Zoning Board of Appeals. Letters are on file in the City Clerk's Office. She asked Building Commissioner Peter Niall who was in attendance at the meeting to provide his recommendation.

Mr. Niall said he has absolutely no concerns about this. As for the spot zoning, it looks like it's a continuation of existing zoning so he has no problem with it.

Councillor Bodanza read from a letter from the City Solicitor that stated that it was not spot zoning.

Councillor Feckley asked about the larger parcel 503-3-2 that was depicted on the map and whether they considered this to be one parcel for one business or multiple businesses.

Mr. Whitney said when they got the subdivision approval, they had to break it up into a couple of lots just for this approval. The parcel she referred to happens to have a large area of wetlands on it and the detention basin for the entire project. Mr. Whitney pointed out on the map to the small part of the parcel that is buildable.

Councillor Feckley asked about any issues with the power lines that are running through the subdivision.

Mr. Whitney said they have it approved that they can build a building outside of it and parking would be underneath the lines.

Councillor Feckley asked about the PWED grant amount which was \$1,142, 875.00 and whether the entire amount went to Southgate.

Mr. Whitney said yes.

Councillor Feckley asked how much was awarded in the MORE grant for Southgate.

Mr. Whitney said approximately a million dollars, even.

Councillor Feckley asked about how much this total project has cost so far out of their pocket.

Mr. Cosimi said million and a half.

Mr. Whitney said it was over and above that – somewhere between a million and a half to two million dollars. He said when they got the grant, it was originally approved to do 500 linear feet of road. They put a lot of their own resources and work so that instead of building 500 feet of road, they built 2,500 linear feet of road with the same money. A lot of their money went in as sweat equity. Cash they put out might be two million, but they've been working there for ten to twelve years trying to get the site ready to go.

Councillor Feckley asked for their opinion of what they think the placement of the registry is going to do for Southgate.

Mr. Whitney said to finally start helping them pay some taxes and that it's going to bring a lot of people in and out. They went through MEPA with it and they have triggers that are eventually going to have lights out in front. They originally wanted to put lights there to begin with, but the State wouldn't let them, they have to meet the warrant in order to put the lights in so as they are going through the development of this, they have certain triggers that they have to meet.

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Councillor Cormier thanked him for providing the grant information and that he now feels more comfortable that the City is not on the hook for these grants if we make any changes. There have been a lot of smaller grants that we've been on the hook for in the past and he didn't want to have to explain to tax payers why they are on the hook for grants of this size. Mr. Cormier asked what he has done to market the park.

Mr. Whitney said that over the years there have been several types of uses that have come along, some they agreed with and some they haven't.

Councillor Cormier asked if he had something specific in mind that he would be looking to target, like a medical device company.

Mr. Whitney said they were platinum status for biotech and it's one of the things they are hoping to attract and that the park is setup for a variety of uses.

Councillor Feckley asked what their company has done to market Southgate.

Mr. Whitney said they have had it with a realtor for a while. When the economy dropped down there wasn't a lot going on. Part of being a 403-D site is the state markets it for them. Any place they can put it out on, they have done it.

Councillor Feckley asked what makes this different from Devens.

Mr. Whitney said it's the same zoning but Mass Development runs that one, they run this one privately, and they have a lot more money than us.

No one in the audience spoke in favor or in opposition of the petition.

HEARING ADJOURNED AT 7:32 P.M.

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Lynn A. Bouchard, City Clerk and  
Clerk of the City Council

HEARING BEFORE THE CITY COUNCIL, MARCH 13, 2017

Hearing opened at 7:34 P.M. with Councillor Dombrowski, Chairperson of the LEGAL AFFAIRS COMMITTEE, presiding. All members were present.

Present at the hearing was Kristen Kelly, Director of Planning and Peter Niall, Building Commissioner

The following PETITION was the subject of the hearing:

35-17            Kristen Kelly on behalf of the Planning Board: Modify Section 22-50.4.1 of the Leominster Zoning Ordinance to remove the words "shall service no more than two (2) lots" and replace with "are not permitted".

Ms. Kelly read from Section 50.4 of the current Zoning Ordinance regarding common driveways which states – except as specified in subsections 22-50.4.2 and 22-50.4.3 common driveways shall service no more than two lots. She said this referred to subsections involving common driveways in the commercial, industrial, MU1 or MU2 districts and 4.3 is common driveways in an HCO district. Aside from those exceptions, 50.4.1 is referring to, in general, residential use. The Planning Board has put together this petition to remove the words "shall service no more than two lots". They would like to see it not permitted. In her understanding, shared driveways have always been difficult to manage. They can create friction between the neighbors who have them. It may seem to be a good idea when the project initially starts, but if the property is sold down the line it doesn't work as well with the new owners. It also, in some cases, can act as a way to access a lot that otherwise would be not accessible or harder to access. They did have a case recently on Lowe Street on the corner of Pleasant Street. There were three lots, two were difficult to access via traditional frontage that they had, so it was proposed that a shared driveway be installed. It did meet the criteria of the ordinance the way it is written so it was approved. It has been a controversial project so the Board asked her to put in for this petition.

Councillor Dombrowski asked if the issue of the large number of non-conforming uses that this might create came up in the Board's discussions.

Ms. Kelly said not specifically that she recalls.

Councillor Dombrowski asked if Mr. Niall had any comments.

Mr. Niall said that he doesn't have anything in writing in his office, but he has had a lot of people that have called them with complaints because they had shared driveways and they were looking for remedies from their office, which once it's approved and built, you're stuck with it. He said it seems as though on some of the longer ones it ends up that one family is paying for all the snow removal and it just creates problems. It seems like a lot of the shared driveways were built just to save the developer of the land money rather than putting in two car driveways side-by-side. So, they are saving cost and leaving a burden for the homeowners later. He said there's probably going to be a very limited number of situations where a shared driveway might be required but he thinks a lot of the driveways were just put in to save money and the problem is now you're stuck with it for years and years. He said they figured they would eliminate them upfront because if you have a lot that needs to share a driveway with another lot, then maybe that's not a buildable lot.

Councillor Chalifoux Zephir asked if the Planning Board had discussed approving these by Special Permit, not making them illegal outright, but looking at them on a case-by-case basis.

Ms. Kelly said the Board did discuss several options including rewording the definitions or providing a separate ordinance to manage the construction of such driveways and the legalities of them and also discussed the possibility by a Special Permit. They discussed all of these things, but in the end, they prefer to see it removed.

Councillor Bodanza asked if on the Pleasant Street/Lowe Street project, the common driveway accesses the property through other than the street frontage.

Ms. Kelly said her understanding is the actual street frontage of the two properties was on Pleasant Street but they were inaccessible from Pleasant Street due to the ledge.

Councillor Bodanza said they accessed it from Lowe Street. They had a meeting about that to see if there was anything in their current language that would prevent someone using legal access as opposed to street frontage for their common driveway. He asked if the Planning Board discussed the environmental impacts of constructing more impervious surface through a traditional street that access multiple lots versus a common driveway.

Ms. Kelly said no.

Councillor Bodanza asked if the Planning Board discussed the additional cost to the City of Leominster to have a street constructed accessing two lots versus a common driveway were the onus for maintenance would be on the homeowners as opposed to the City.

Ms. Kelly said no.

Councillor Bodanza said he provided a potential ordinance where there were requirements for agreements that would be attached to a deed to obviate the difficulties in terms of what people get into owning shared driveways. He asked if the Planning Board discussed any of that as a potential way to address disputes between homeowners on a common driveway.

Ms. Kelly said she handed out the copy of the bi-law he provided to the Board in addition to a document looking at the wording of some of the definitions as a point of discussion. The Board did look through those notes and discussed them.

Councillor Bodanza said he is concerned with eliminating it in total because he thinks bad cases make bad laws – Pleasant Street and Lowe Street is a bad case. He mentioned that he gave to both of them and the Council what Councillor Chalifoux Zephir came up with which he thought was a workable solution that Walpole used which he adapted to Leominster. He said one of the things, for example, that you can't do under the Walpole one is you can't use other than the street frontage for access so Pleasant and Lowe Street could not happen. In addition to that you have to have a turnaround for emergency vehicles which was a concern of the residents of Lowe Street. He said he wanted her to have the opportunity to digest the information that was produced and that what Councillor Chalifoux Zephir came up with as a potential framework for this was not bad. He is a little reluctant without someone convincing him a lot more that we should throw all of this right out because he thinks there are a lot of other benefits to common driveways. As with anything in life, there are pluses and minuses but if we appropriately restrict and regulate some of the cons, the pros may out way it.

Councillor Dombrowski said he had a chance to read the proposal and he personally thinks it's a good one. He wanted his input on whether or not he thinks it should be the subject of a new petition because it is a big change from what has been advertised.

Councillor Bodanza said it may be cleaner than amending it and it may be advisable, depending on what other members of Legal Affairs and the Council in general feel to give this further time so people can digest what he's produced and have a chance to see what questions might be prompted by it, including the Planning Board and Building Commissioner. They are just seeing it this evening for the first time so they may have some questions. He said he thought it makes sense to further time it.

Councillor Dombrowski said he agrees.

Councillor Marchand asked Ms. Kelly if she had a chance to share with the Board his suggestion for the amendment.

Ms. Kelly said she handed it out to the Board at their public hearing.

Councillor Marchand asked if there was a response from them.

Ms. Kelly said not specifically. They did review the materials.

Councillor Marchand said he had two questions. He said to take a look at a street in Ward 5 in which it was the intent of the developer not to have an accepted street. He did not have to comply with the road requirements and the bond issues. It basically was a glorified driveway and there are about 8 houses on that driveway today. He asked what would happen in this particular case; would he not be able to develop that property. His second question was how this would impact a developer who wants to build a residential complex and how they would be able to deal with the new changes in suggested law. He said these are some of the issues he has around it being so strict. He understands what drove the legislation, but if you look at all the isolated issues that take place in the City of Leominster and try to create a law to govern them, he's afraid the impact on the other people is going to be detrimental for future growth and development.

Councillor Freda said quite a while ago she had a conversation with the Planning Board Chair and she's still confused. She asked if we had this on the books prior and whether it was not allowed and changed.

Ms. Kelly said I don't know. She's not exactly sure what happened in the process. She asked Mr. Niall if it was allowed previously.

Mr. Niall said no one came to him before the Zoning changed looking for a shared driveway so he never checked into it before because it never came up. Under the new Zoning book it is allowed and they have only had one person come with a shared driveway and it did create a little bit of a problem.

Councillor Freda said this is Pleasant Street.

Mr. Niall said yes. He said because you have four units that are all sharing one driveway, now not only do you have two neighbors, you have four different families that are going to be fighting over who pays for snow removal, shoveling, and sanding.

Ms. Kelly said it does specify no more than two lots. Those are two lots, but each has a two family on them.

Councillor Freda said it was her understanding that it wasn't allowed, according to the Planning Director. We had this extensive conversation on it and somehow it got into the Zoning and this particular project was denied and then it was allowed after the Zoning change. If that's the case, there's an issue there somewhere. She tends to agree with Mr. Niall about complaints on shared driveways, but she's concerned with some of the comments they have received from a couple developers who have things in the works and it's going to change their plan and cost them money. She agrees that she doesn't want to see the shared driveways. She doesn't think that in this day in age they should be allowed anymore, but what do we do with some perspective plans down the road. If they could be grandfathered in, that would be great, but she's not sure they can do that.

Councillor Feckley asked Mr. Niall if this went through and someone that has a common driveway wants to sell their home whether the bank would have any issue with it or would there be an issue with getting a mortgage.

Mr. Niall said it shouldn't cause a problem.

Councillor Dombrowski said he thinks the problem with grandfathering is that it's a prior non-conforming use so someone who wants to build a shed or addition will have a problem because arguably they are enlarging the prior non-conforming use so it's a tricky situation.

Councillor Bodanza read from the Zoning ordinance from 1987 that Councillor Lanciani provided to him that stated these were regulated by a Special Permit in a residential district at the time.

Councillor Freda suggested that they hold a joint meeting with the Planning Board to discuss the petition.

Councillor Chailifoux Zephir thought it would be better to invite them to a Council Meeting to discuss.

Ms. Kelly asked if they could schedule this for when the Chairman of Planning would be available since he feels strongly about this.

James Whitney of 50 Old Mill Road and Shannon Melanson of 908 Union Street spoke in opposition of the petition.

No one from the audience spoke in support of the petition.

HEARING ADJOURNED AT 8:03 P.M. AND CONTINUED TO MAY 22, 2017 AT 7:00 P.M.

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Lynn A. Bouchard, City Clerk and  
Clerk of the City Council

REGULAR MEETING OF THE CITY COUNCIL, MARCH 13, 2017

Meeting was called to order at 7:32 P.M.

Attendance was taken by a roll call vote; all members were present.

The Committee on Records reported that there were no records to approve.

A recess was called at 7:34 P.M. to continue a hearing and hold a public forum.

Meeting reconvened at 8:07 P.M.

The following COMMUNICATIONS were received, referred to the FINANCE COMMITTEE and given REGULAR COURSE.

- C-54 Relative to the appropriation of \$2,000.00 to the Cemetery Salary & Wages Account; same to be transferred from the Stabilization Fund.
- C-55 Relative to the appropriation of \$200,000.00 to the Fire Department Overtime Account; same to be transferred from the Stabilization Fund.
- C-56 Relative to the appropriation of \$250,000.00 to the Snow and Ice Expense Account; same to be transferred from the Stabilization Fund.
- C-57 Relative to the appropriation of \$25,000.00 to the Snow and Ice Overtime Account; same to be transferred from the Stabilization Fund.
- C-58 Relative to the appropriation of \$305,000.00 to the Wire Department Capital Outlay Expense Account; same to be transferred from the Stabilization Fund.

REGULAR MEETING OF THE CITY COUNCIL, MARCH 13, 2017, Cont.

The following PETITIONS were received, referred to the LEGAL AFFAIRS COMMITTEE, given REGULAR COURSE and referred to the Purchasing Agent, Treasurer and Comptroller.

- 43-17 Gregory C. Chapdelaine, Purchasing Agent and David Laplante, Treasurer/ Collector: Allow the Purchasing Agent to award a contract for the City's Lock Box Services for a six (6) year period.
- 44-17 Gregory C. Chapdelaine, Purchasing Agent and David Laplante, Treasurer/ Collector: Allow the Purchasing Agent to award a contract for the City's Ambulance Billing Services for a six (6) year period.

The following PETITION was received, referred to the PUBLIC SAFETY & TRAFFIC COMMITTEE, given REGULAR COURSE and referred to the Police Department /Traffic Division and Department of Public Works.

- 45-17 David R. Cormier: Place a Blind Driveway sign on Willard Street just after the intersection of Overlook Drive to indicate that 525 Willard Street has a blind driveway.

The following APPOINTMENTS were received, referred to the WAYS AND MEANS AND VETERANS AFFAIRS COMMITTEE and were given REGULAR COURSE.

Conservation Commission – Michael Hurtubise and Elisabeth Ricci-Blair –  
Terms to expire April 15, 2020

Emergency Management – Communications Unit – Agustin Arrua-Vargas  
Emergency Management – Rescue Unit – Jordan Ndolo  
Emergency Management – EMS Unit – Stephen Farynaz

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 8/0  
(Hearing continued to March 27, 2017 at 6:30 P.M.)

- 21-17 Kristen Kelly on behalf of the Planning Board: Adopt a new Zoning Ordinance regarding the installation of Solar Energy.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 8/0  
(Hearing continued to March 27, 2017 at 6:35 P.M.)

- 22-17 Kristen Kelly on behalf of the Planning Board: Update the Zoning Ordinance Table of Uses to modify the applicability of Energy Systems, Renewable and to add two new uses, On Site Solar System and Off Site Solar System.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 8/0  
(Hearing continued to March 27, 2017 at 6:40 P.M.)

- 23-17 Kristen Kelly on behalf of the Planning Board: Update the definition of "Energy System, Renewable" and create definitions for "Solar Energy System for On Site Use" and "Solar Energy System for Off Site Use".

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was GRANTED with CONDITIONS. Vt. 5 "yeas" and 2 "nays". Councillors Freda and Feckley opposed. Councillor Dombrowski abstained due to a possible conflict of interest.

Upon reconsideration, the PETITION was GRANTED with CONDITIONS. Vt. 6 "yeas" and 1 "nay". Councillor Freda opposed.

- 28-17 Prime Wellness Centers, Inc.: Grant a Special Permit for the use of a new building for the purpose of a Medical Marijuana Dispensary on Lock Drive

Conditions as follows:

1. That the Special Permit is not transferrable either to a third party or by a transfer of the majority stock of the company, except as a result of a death of a shareholder.
2. That the permittee observe all licensing requirements of the Commonwealth of Massachusetts.
3. That permittee be in full compliance with its Host Agreement with the City of Leominster.
4. That all taxes and fees generated by the permittee's operation, including real estate and personal property taxes be fully paid to the City of Leominster.
5. That the permittee be in full compliance with the regulations of the City of Leominster's zoning and other ordinances.
6. That the required bond be given to the City of Leominster pursuant to 105.6.8.
7. That the permittee give the City Council for the City of Leominster its annual report of operations and compliance by January 31<sup>st</sup> each year beginning January 31, 2018.

REGULAR MEETING OF THE CITY COUNCIL, MARCH 13, 2017, Cont.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was GRANTED. Vt. 6 “yeas”.  
Councillors Dombrowski and Chalifoux Zephir abstained due to a possible conflict of interest.

29-17 James Whitney: Rezone parcels 503-3-1, 503-3-2, 503-3-3 and 503-3-4 from Industrial to Mixed Use (MU1) at the entryway of the Southgate Business Park.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was TABLED for study. Vt. 8/0  
(Hearing continued to May 22, 2017 at 7:00 P.M.)

35-17 Kristen Kelly on behalf of the Planning Board: Modify section 22-50.4.1 of the Leominster Zoning Ordinance to remove the words “shall service no more than two (2) lots” and replace with “are not permitted”.

Upon request of the LEGAL AFFAIRS COMMITTEE, the following PETITION was given FURTHER TIME. Vt. 8/0  
(Hearing scheduled for March 27, 2017 at 7:00 P.M.)

38-17 South Coast Development, LLC: Change the zoning of the three contiguous lots of land at the northeast corner of Central Street and Graham Street, and also the adjacent portion of Graham Street, a public way, from the Residence C and Business B to the Commercial zoning district.

Upon recommendation of the LEGAL AFFAIRS COMMITTEE, the following PETITION was GRANTED as AMENDED. Vt. 8/0. The petition was amended to remove the word “Consider” and replace with “Impose” and remove the word “proposed” and replace with “temporary”. In addition, an expiration date of July 1, 2018 should be established for the moratorium and the following sentence will be added: The moratorium should not be construed to relinquish any opt-out or opt-in rights that the City of Leominster might have.

39-17 Claire Freda: Impose a temporary moratorium on recreational marijuana.

Councillor Bodanza, member of the FINANCE COMMITTEE, read the Financial Report for the City into the record. Account balances are as follows:

Stabilization Account           \$11,440,784.75

Upon recommendation of the FINANCE COMMITTEE, the following COMMUNICATION was GRANTED and ORDERED. Vt. 8 “yeas”

C-53 Relative to the appropriation of \$75,000.00 to the Police and Fire Indemnification Expense Account; same to be transferred from the Stabilization Fund.

ORDERED: - that the sum of Seventy-five Thousand Dollars \$75,000.00 be appropriated to the Police and Fire Indemnification Expense Account; same to be transferred from the Stabilization Fund.

Upon recommendation of the PUBLIC SAFETY AND TRAFFIC COMMITTEE, the following PETITION was GRANTED as AMENDED. Vt. 8 “yeas”. The petition was amended to add the word “advisory” before “signs”.

42-17 David R. Cormier: Request that advisory signs be placed on Jungle Road indicating that no vehicle over 1 ton can take a right-hand turn onto Old Mill Road.

The following ORDINANCE was read once, ADOPTED as presented and ordered published. A hearing was set for March 27, 2017 at 6:20 P.M. Vt. 8 “yeas”

1st Reading Ordinance – Amend Chapter 13 of the Revised Ordinances entitled “Motor Vehicles and Traffic” by inserting a new section, Sec. 13-75, entitled “Speed Limits – Specific Streets” and inserting Beth Avenue, from Willard Street to Central Street, at 25 miles per hour. (Legal Affairs – Petition 33-17)

The following ORDINANCE was read once, ADOPTED as presented and ordered published. A hearing was set for March 27, 2017 at 6:25 P.M. Vt. 8 “yeas”

1st Reading Ordinance – Amend Chapter 22, Section 22-62.3.7 of the Revised Ordinances entitled “Zoning” by deleting the following words “and always within the right of way”. (Legal Affairs – Petition 24-17)

A committee meeting was established for the President’s Committee on City Ordinance Review on Tuesday, March 28, 2017 at 5:30 P.M.

MEETING ADJOURNED AT 9:22 P.M.

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Lynn A. Bouchard, City Clerk and  
Clerk of the City Council