

**MINUTES OF THE PROCEEDINGS OF THE
ZONING BOARD OF APPEALS OF THE CITY OF WORCESTER**

NOVEMBER 13, 2006

WORCESTER PUBLIC LIBRARY, 2 SALEM SQUARE, SAXE ROOM

Zoning Board Members Present: Leonard Ciuffredo, Chair
Jerry Horton, Vice- Chair
Matthew Armendo
Thomas Hannigan
Morris Bergman
David George
Andrew Freilich

Staff Present: Joseph Mikielian, Department of Code Enforcement
Joel Fontane, Division of Planning & Regulatory Services
Edgar Luna, Division of Planning & Regulatory Services

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Ciuffredo called the meeting to order at 5:30 PM.

APPROVAL OF THE MINUTES

Upon a motion by Matthew Armendo and seconded by Morris Bergman, it was voted 5-0 by Leonard Ciuffredo, Thomas Hannigan, Matthew Armendo, Morris Bergman, and David George to continue the approval of the October 30, 2006 minutes until November 27, 2006.

REQUESTS FOR WITHDRAWAL

1. **44 Byron Street (Z-06-141) – Special Permit:** Mr. Luna informed that Board that Jennifer Lougee, representative for Fiber Tower Corporation, sent a letter requesting a continuation of the hearing until November 27, 2006. The requested time will be used to submit alternative plans to camouflage the proposed antenna. Upon a motion by Morris Bergman and seconded by Thomas Hannigan, it was voted 4-1 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, and Morris Bergman (Matthew Armendo voting against) to continue the hearing until November 27, 2006.
2. **10 Midgley Lane (Z-06-187) – Variances:** Mr. Luna informed the Board that Joe Boynton, representative for Louis and Antonietta Agieri, petitioners, had sent a letter requesting that the Board allow his clients to withdraw their petition without prejudice. Upon a motion by Morris Bergman and seconded by Matthew Armendo, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to grant the applicant Leave to Withdraw Without Prejudice.

UNFINISHED BUSINESS

3. **15 Joppa Road (Z-06-172) – Variance:** Joseph Quinn, petitioner, presented the petition. Mr. Quinn stated that he was seeking a Variance of 5 feet of relief from the side yard setback for the purpose of constructing an attached garage. Chair Ciuffredo thanked Mr. Quinn for submitting site plans of the proposed structure in a timely fashion. Mr. Armendo stated that if the Board were to consider approving the petition, the approval should be conditioned upon constructing the attached garage according to the site plans submitted. Upon a motion by Matthew Armendo and seconded by Jerry Horton, the Board voted 5-0 to close the hearing. Upon a motion by Matthew Armendo and seconded by Jerry Horton, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to approve the following:

- **VARIANCE: Relief of 5 feet from the side yard setback requirement.**

The approval carries the following conditions:

- **The proposed structure will be built according to the plan submitted.**
4. **41 Lancaster Street (Z-06-169) – Special Permits:** Mark Lee, representative for Jay Hummer, petitioner, presented the petition. Mr. Lee stated that he had recently been retained by Mr. Hummer to represent him regarding this petition; therefore, he asked the Board to consider continuing the hearing until December 18, 2006 to allow him time to review the case, provide accurate information for the proposed use, and address the concerns of the neighborhood residents. Mr. Armendo asked Mr. Lee to inform the Board when he was retained by Mr. Hummer to represent him in this petition. Mr. Lee stated that he had been retained this week. Mr. Ciuffredo asked Mr. Lee if the neighbors had been notified of the continuation of the hearing as requested by the Board. Mr. Lee stated that the petitioner had notified all of the abutters listed in the City of Worcester Abutters List. Richard Bohigian stated that the Board should not grant the petitioner a continuation of the hearing. Amerigo Zamarro asked the Board to consider denying the request for a continuation of the hearing. Upon a motion by Matthew Armendo and seconded by Jerry Horton, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to continue the hearing until December 18, 2006, and to re-notify abutters listed in the City of Worcester Abutters List of the continuation of the hearing.
5. **1 Schussler Road (Z-06-167A) – Variances, Amendment to Special Permit, and Special Permit:** Jonathan Finkelstein, representative for Thomas Demeo, petitioner, presented the petition. Mr. Finkelstein informed the Board that Spiro Giannopoulos, owner of a parking lot at 14 Ormond Street that is licensed for 13 parking spaces, had signed a five-year lease agreement with Mr. Demeo to provide additional parking spaces for the proposed project. In addition, Mr. Finkelstein stated that the lease was for the entire lot, and indicated that the petitioner was proposing to install a six-foot fence on the easterly side of the parking lot to provide additional security to the site. Mr. Finkelstein stated that while the Special Permit and Amendment to Special Permit were still needed, the Variances requested were no longer needed. Therefore, he asked the Board to allow his client Leave to Withdraw Without Prejudice for said Variances.

Mr. Armendo asked Mr. Finkelstein if the lease included a five-year extension. Mr. Finkelstein stated that while the initial agreement included a five-year extension, the extension had been cancelled prior to the meeting at the request of Mr. Giannopoulos. Mr. Armendo stated that the lease without a five-year clause agreement was invalid and improperly before the Board. Mr. Ciuffredo asked Mr. Finkelstein and Mr. Giannopoulos to step out of the meeting room to discuss a possible agreement for a five-year lease extension.

Upon a motion by Jerry Horton and seconded by Morris Bergman, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to table this item until Mr. Finkelstein and Mr. Giannopoulos had discussed a possible agreement for a five-year lease extension (6:10 pm).

After item # 6, the Board took up 1 Schussler Road again.

Upon a motion by Jerry Horton and seconded by Matthew Armendo, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to take this item off the table. Mr. Finkelstein informed the Board that he and Mr. Giannopoulos had agreed to include a clause in the lease for one (1) five-year extension period. Upon a motion by Jerry Horton and seconded by Morris Bergman, the Board voted 5-0 to close the hearing.

Upon a motion By Jerry Horton and seconded by Morris Bergman, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to grant the petitioner Leave to Withdraw Without Prejudice for the following Variances:

- **VARIANCE: Relief of 7 parking spaces from the off-street parking requirement.**
- **VARIANCE: To allow backing out onto Schussler Road.**
- **VARIANCE: To allow parking within the front yard setback.**
- **VARIANCE: Relief of 5 feet from the landscaping buffer requirement.**

Upon a motion by Jerry Horton and seconded by Matthew Armendo, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to approve the following:

- **SPECIAL PERMIT: Expansion or Change of a Pre-Existing, Nonconforming Use/Structure.**
- **AMENDMENT TO A SPECIAL PERMIT: Change of Use from Psychiatric Nursing Home to Sorority House.**

The approval vote carries the following condition:

- **The Petitioner Must Submit a Signed Lease Agreement with Option for one (1) Five-Year Extension Period.**
- **Install a Six-Foot Fence on the Easterly Side of the Leased Parking Lot at 14 Ormond Street.**

- 6. 155 Ararat Street (Z-06-168) – Administrative Appeal:** Gary Brackett, representative for Campus Realty Group, Inc., petitioner, presented the petition. Mr. Brackett stated that the petitioner was seeking to appeal the August 16, 2006 Planning Board denial of a Parking Plan for 155 Ararat Street. Mr. Brackett stated that the Planning Board's decision was arbitrary and capricious, as the Planning Board does not have discretion to deny Parking Plans. In addition, Mr. Brackett stated that the Planning Board can only impose conditions to bring a plan into compliance with the Zoning Ordinance requirements and criteria for Parking Plan review. Mr. Fontane stated that the petition was invalid because the petitioner had failed to file the Administrative Appeal within the 30 days from the date of the August 16, 2006 decision, which was September 15, 2006. The Administrative Appeal was filed with the Division of Planning and Regulatory Services on October 5, 2006. In addition, Mr. Fontane stated that the Law Department had issued an opinion on a previous denial of a Parking Plan for the same property for a similar reason. Said opinion stated that the Zoning Board of Appeals had no jurisdiction to hear the Planning Board's denial because the appeal was untimely. Mr. Brackett stated that the opinion of the Law Department was wrong and inappropriate, because in his view, the appeal period starts when the petitioner is notified in writing of the decision. Timothy McGee, representative for the Indian Hill Neighborhood Association, stated that the Law Department was correct in their determination. In addition, Mr. McGee stated that since he had not received in advanced a copy of the information submitted to the Board, he was not prepared to address the petition. Therefore, he requested that the Board consider continuing the hearing to a later date to allow him time to review the petition. Mr. Bergman stated that the Board should request an opinion from the Law Department regarding whether the petition was untimely. Upon a motion by Matthew Armendo and seconded by Morris Bergman, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to continue this item until December 18, 2006 to provide time needed for the Law Department to issue an opinion regarding whether the petition was untimely, and allow Mr. McGee time to review the information submitted at the meeting by Mr. Brackett.
- 7. 88 Providence Street (Z-06-179) – Variance and Special Permit:** Donald Bray, representative for Dung Kim Do, petitioner, presented the petition. Mr. Bray stated that the petitioner was seeking a Variance of 1 foot of relief from the rear yard setback requirement and a Special Permit for the expansion or change of a pre-existing, nonconforming use/structure for the purpose of constructing an addition to the rear of the building for sitting rooms on all three levels. In addition, Mr. Bray stated that the proposed expansion would provide additional space to the living rooms in each apartment, which are currently small. Mr. Horton asked Mr. Bray to identify the hardship that justified the requested Variance for relief of 1 foot from the rear yard setback requirement. Mr. Bray stated that the petitioner had requested that the proposed addition be 27 feet in length to gain more space. Mr. Horton expressed concern that the hardship indicated did not justify granting the petitioner the Variance requested; therefore, he asked the Board not to grant the petitioner's request. Mr. Bray stated that the proposed expansion could be reduced by 1 foot so as to not require the Variance requested; therefore, he requested that the Board allow his client Leave to Withdraw Without Prejudice for said Variance. In addition, Mr. Bray stated that the petitioner's request for a Special Permit was still standing, and asked the Board to consider approving it. Upon a motion by Jerry Horton and seconded by Morris Bergman, the Board

voted 5-0 to close the hearing. Upon a motion by Thomas Hannigan and seconded by Jerry Horton, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to grant the applicant Leave to Withdraw Without Prejudice for the Variance of 1 foot of relief from the rear yard setback requirement.

Upon a motion by Thomas Hannigan and seconded by Jerry Horton, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to approve the following:

- **SPECIAL PERMIT: Expansion or Change of a Pre-Existing, Nonconforming Use/Structure.**

The decision carries the following condition:

- **The proposed structure will not encroach into the rear yard setback.**

8. 1-7 Piedmont Street (Z-06-180) – Extension of Time for Variances and Special Permit:

Joe Boynton, representative for Worcester Common Ground, Inc., petitioner, presented the petition. Mr. Boynton stated that the petitioner was seeking Extensions of Time for a Variance of 115 feet of relief from the frontage requirement, a Variance for 48 parking spaces from the off-street parking requirement, and a Special Permit for the expansion or change of a pre-existing, nonconforming use/structure, which were granted on November 28, 2005. Mr. Boynton also stated that said Variances and Special Permit had been granted for the purpose of constructing a building containing 12 dwelling units and 4 retail shops. In addition, Mr. Boynton indicated that the petitioner had not been able to commence construction due to housing subsidy delays. Further, Mr. Boynton asked the Board to consider waiving the fees incurred with the filing this petition. Upon a motion by Jerry Horton and seconded by Matthew Armendo, the Board voted 5-0 to close the hearing. Upon a motion by Jerry Horton and seconded by Matthew Armendo, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to approve Extensions of Time for the following:

- **VARIANCE: Relief of 155 Feet from the Frontage Requirement.**
- **VARIANCE: Relief of 48 Parking Spaces from the Off-Street Parking Requirement.**
- **SPECIAL PERMIT: Expansion or Change of a Pre-Existing, Nonconforming Use/Structure.**

The approval carries the following condition:

- **The Extensions of Time are granted for 6 Months, from December 5, 2006 to June 5, 2007.**

Upon a motion by Jerry Horton and seconded by Matthew Armendo, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to waive the fees incurred with the filing of this petition.

9. 620-622 Chandler Street (Z-06-181) – Special Permit: Philip Lombardo, representative for Cumberland Farms, Inc., petitioner, presented the petition. Mr. Lombardo stated that the petitioner was seeking a Special Permit for the expansion or change of a pre-existing, nonconforming use/structure for the purpose of installing an additional fuel dispenser at the front of the property. Mr. Bergman recused himself from the meeting. Mr. Armendo expressed concern that the proposed location for the fuel dispenser was in close proximity to the handicapped parking spaces. Mr. Lombardo indicated that the proposed location had been selected to minimize queuing problems on site. Mr. George stated that the proposed location for the fuel dispenser would not minimize queuing problems on site, but rather exacerbate them. In addition, Mr. George stated that the limited size of the parcel could not support an additional fuel dispenser. Mr. Freilich indicated that the site was located at the intersection of two heavy-traffic thoroughfares; therefore, adding another fuel dispenser would negatively impact the traffic flow on Chandler and Mill Streets, and the surrounding residential neighborhoods. Carol Giguere expressed concern regarding increased traffic in the area, and possible vehicle accidents. Mr. George asked Mr. Lombardo if the petitioner had considered conducting a traffic study for the proposed project. Mr. Lombardo stated that while no traffic study had been considered for this petition, the petitioner would agree to provide one if requested by the Board. Mr. Armendo stated that a complete reconfiguration of the site may yield additional space to install a new fuel dispenser in an appropriate location. Mr. George stated that the escape lane appeared deficient in length and width. Mr. Lombardo acknowledged that the comments and concerns expressed by the Board and neighbor would need to be further assessed and evaluated; therefore, he asked the Board to allow his client Leave to Withdraw Without Prejudice. Upon a motion by Jerry Horton and seconded by Matthew Armendo, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and David George to grant the petitioner Leave to Withdraw Without Prejudice.

10. 30-32 Greenwood Street (Z-06-182) – Variance and Special Permit: Joe Boynton, representative the Julio Romero, petitioner, presented the petition. Mr. Boynton stated that the petitioner was seeking a Variance of 10 parking spaces from the off-street requirement and a Special Permit for the expansion or change of a pre-existing, nonconforming use/structure from a drycleaner to a retail clothing store in one unit and a sign shop and/or office uses in the other. This petition does not involve the 3rd unit of the building. In addition, Mr. Boynton indicated that another petition for this property was heard on September 11, 2006 that involved a Special Permit for the change of a nonconforming use from a drycleaner to retail food sales (convenience store), service shop and/or office uses, and a Variance of 15 parking spaces from the off-street parking requirement. The relief requested was for all three units, however, the relief was denied. Beverly Maurais expressed concern that the rental units are already occupied with tenants without proper authorization. In addition, Ms. Maurais expressed concern that the petitioner plans to petition City Council to relocate the bus stop at the site further away. Roland Carlson expressed concern that the relief of 10 parking spaces from the off-street parking requirement would exacerbate parking on Greenwood Street, and thereby negatively impact the neighborhood. Charlotte Tremblay expressed concern that the proposed uses are not different from the uses proposed previously. Mr. Bergman stated that

the proposed uses were significantly different from the uses proposed in the previous petition. Mr. Armendo stated that the proposed uses were significantly different from the previous petition, specifically, that the demand for off-street parking was less than previous uses proposed. Mr. Hannigan asked Chair Ciuffredo to appoint an alternate member to vote on this matter because his term is ending. Chair Ciuffredo appointed Mr. Freilich to vote on this matter. Upon a motion by Matthew Armendo and seconded by Morris Bergman, the Board voted 5-0 to close the hearing. Upon a motion by Morris Bergman and seconded by Jerry Horton, it was found 5-0 by Leonard Ciuffredo, Jerry Horton, Matthew Armendo, Morris Bergman, and Andrew Freilich that:

- **This petition contains specific and material changes from the previously denied petition for this property; therefore, per MGL Chapter 40A, Section 16, this determination will be forwarded to the Worcester Planning Board for consideration.**

11. 1108 West Boylston Street (Z-06-183) – Special Permit: Michael Snow and John Gwozdz, representatives for Michael and Patricia Boucher, petitioners, presented the petition. Mr. Snow stated that the petitioners were seeking a Special Permit to allow single-family attached dwellings in an RL-7 zone for the purpose of constructing 4 single-family attached dwellings (townhouses). In addition, Mr. Snow indicated that the proposed use is consistent with the residential uses in the area, the site is large enough to accommodate the proposed number of dwelling units, and the proposed landscaping plan would enhance the neighborhood. Mr. Armendo expressed concern that the location of the proposed residential dwellings appeared to be too close to the vegetated wetlands. Mr. Snow indicated that the proposed site plan included a 30 foot buffer to separate the residential area from the vegetated wetlands. Chair Ciuffredo stated that while he supports single-family attached dwellings to encourage home ownership, such residential dwellings are not appropriate in an RL-7 zone. Susan Healy expressed concern regarding the increase of run-off water onto abutting properties. Steve Flannery expressed concern regarding the use and location of dumpsters in the proposed project and its negative impact on the neighborhood. Mr. Armendo stated that the proposed project and density were not appropriate in an RL-7 zone. Mr. Snow indicated that the concerns and feedback expressed by Board members and neighbors were important to the success of the project; therefore, he requested that the Board allow his client leave to withdraw without prejudice. Upon a motion by Jerry Horton and seconded by Morris Bergman, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to grant the petitioner Leave to Withdraw Without Prejudice.

12. 75 Shore Drive (Z-06-189) – Amendment to a Special Permit: Todd Brodeur, representative for the Young Men’s Christian Association of Greater Worcester, petitioner, presented the petition. Mr. Brodeur stated that the petitioners were seeking to amend a previously approved Special Permit for the expansion of the existing facility for the purpose of reducing the scope of the work. Mr. Armendo stated that if the Board were to consider approving the scaled down version of the initially proposed project, the approval should be conditioned upon building it according to the Definitive Site Plan approved by the Planning Board on August 16, 2006. Upon a motion by Jerry Horton and seconded by Matthew

Armendo, the Board voted 5-0 to close the hearing. Upon a motion by Jerry Horton and seconded by Thomas Hannigan, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to approve the following:

- **Amendment to Special Permit: Expansion or Change of a Pre-Existing, Nonconforming Use/Structure.**

The approval carries the following condition:

- **The proposed project is to be built according to the Definitive Site Plan approved by the Planning Board on August 16, 2006.**

13. 46A Greendale Avenue (Z-06-191) – Variance: Steve Parker, representative for Anthony and Heidi Scuderi, petitioners, presented the petition. Mr. Parker stated that the petitioners were seeking a Variance for relief of 5 feet, 8 inches from the rear yard setback requirement for the purpose of constructing an addition to the rear of the residential dwelling located on site. Mr. Parker stated that the petitioners need to add a family-room to the residential dwelling to accommodate the expanding needs of the family. In addition, Mr. Parker stated that the shape of the lot and current location of the rooms within the structure are such that the only feasible location for the expansion is the proposed location. Mr. George stated that if the Board were to consider approving the proposed project, the approval should be conditioned upon building it according to the Floor Plan submitted. Upon a motion by Thomas Hannigan and seconded by Morris Bergman, the Board vote 5-0 to close the hearing. Upon a motion by Thomas Hannigan and seconded by Matthew Armendo, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to approve the following:

- **Variance: Relief of 5 Feet, 8 Inches from the Rear Yard Setback Requirement.**

The approval carries the following condition:

- **The proposed project is to be built according to the Floor Plan submitted.**

14. 104 Lamartine Street (Z-06-192) – Special Permit: Anthony Salvidio, representative for Goldstein Properties, LLC, petitioner, presented the petition. Mr. Salvidio stated that the petitioner was seeking a Special Permit to allow manufacturing uses #5 (manufacturing, assembly, processing, packaging, or other industrial operations not otherwise permitted above, provided there will not be a nuisance of such magnitude as to prevent a reasonable use for the purpose for which they are zoned) and #7 (open lot storage, underground storage, salvage, recycling operations, refuse transfer station facility: includes flammable liquids/gas), specifically for the purpose of operating a metal recycling facility with open lot storage within containers in an MG-2.0 (Manufacturing, General) zone. In addition, Mr. Salvidio stated that the business is family-owned and operated, and is one of the oldest enterprises still operating in Worcester. Mr. Salvidio also indicated that the proposed use is the most appropriate use for the land, and would add to the economic development of the industrial

businesses that exist in the surrounding area. Councilor Barbara Haller stated that she facilitated a meeting between the petitioner and neighborhood residents to address concerns regarding the proposed use, and indicated that the individuals attending the meeting expressed their support for the business. While Ms. Haller expressed full support for the proposed use, she also stated her concern that the site may be used by irresponsible individuals who dump non-recyclable materials illegally; therefore, she asked the petitioner to secure the site overnight. Councilor Phillip Palmieri expressed his support for the project, indicating that the proposed use was appropriate to the site and would bring vitality and economic development to the neighborhood. Mr. Fontane stated that the administration recommends approval of the Special Permit because it is compatible with the other manufacturing uses in the area, and also because moving this business from Harding Street facilitates the desired redevelopment of the Union Station area. Loraine Lorie expressed support for the project, and indicated that when the City reviewed the Zoning Map in the early 1990's, the area was intentionally left as a manufacturing zone and the area across the street between the manufacturing and the residential district was zoned BG-3. Mr. Hannigan expressed support for the project. Mr. Freilich expressed support for the project. Mr. Bergman asked Mr. Salvidio if the proposed use will take place indoors, and if the building would need alterations to accommodate the new use. Mr. Salvidio stated that while the building has remained unoccupied for almost two years, it does not need to be altered except for minor exterior improvements. He also indicated that the work would be performed indoors. In addition, Mr. Salvidio indicated that open lot storage of seven to twenty containers would occur throughout the site, as needed, for the operations of the recycling business. Mr. George asked Mr. Salvidio to inform the Board if the proposed use would require large-truck deliveries of raw materials to the site and if so, to provide the number of trips per week. Mr. Salvidio stated that while presently only two large-truck trips per week were expected, the market would dictate the number of trips per week needed. In addition, Mr. Salvidio stated that approximately 20 to 30 vehicle-trips per week were expected from regular clients delivering recyclable metals. Upon a motion by Morris Bergman and seconded by Thomas Hannigan, the Board voted 5-0 to close the hearing. Upon a motion by Thomas Hannigan and seconded by Morris Bergman, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman, to approve the following:

- **Special Permit to allow manufacturing uses #5 (manufacturing, assembly, processing, packaging, or other industrial operations not otherwise permitted above, provided there will not be a nuisance of such magnitude as to prevent a reasonable use for the purpose for which they are zoned), and #7 (open lot storage, underground storage, salvage, recycling operations, refuse station facility: includes flammable liquids/gas), specifically for the purpose of operating a metal recycling facility with open lot storage within containers in an MG-2.0 (Manufacturing, General) zone.**

The approval carries the following condition:

- **No open lot storage of material outside of containers.**

OTHER BUSINESS

Election of Officers: Upon a motion by Matthew Armendo and seconded by Thomas Hannigan, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to approve the following slate of officers:

Chair: Leonard Ciuffredo

Vice-Chair: Morris Bergman

Legal Summons: Upon a motion by Morris Bergman and seconded by Matthew Armendo, it was voted 5-0 by Leonard Ciuffredo, Jerry Horton, Thomas Hannigan, Matthew Armendo, and Morris Bergman to request that Mr. Fontane investigate the possibility of having all Legal Notices Summons be sent to the Division of Planning and Regulatory Services address, instead of the Board member's home or work addresses.

ADJOURNMENT: Chair Ciuffredo adjourned the meeting at 10:00 PM.