

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

**October 18, 2010  
WORCESTER CITY HALL, 455 MAIN STREET, LEVI LINCOLN ROOM**

**Zoning Board Members Present:**

David George, Chair  
Andrew Freilich  
William Bilotta  
Timothy Loew  
Kola Akindele

**Staff Present:**

Joel Fontane, Division of Planning & Regulatory Services  
Ruth Gentile, Division of Planning & Regulatory Services  
John Kelly, Department of Inspectional Services

**REGULAR MEETING (5:30 PM)**

**CALL TO ORDER**

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

**REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS,  
WITHDRAWALS**

- 1. 18 Fales Street (ZB-2010-041) – Special Permit for relief of one parking space from the off-street parking requirement, Variance for relief of 2,943 square feet from the gross dimensional requirement – Lot A, Variance for relief of 2,206 square feet from the gross dimensional requirement – Lot B, Variance: To allow parking in the exterior side yard setback – Lot A.** Jonathan Finkelstein, representative, requested Leave to Withdraw without Prejudice. Mr. Finkelstein requested a fee waiver. Mr. Fontane stated that our fees are not based on time and billing and that the fees are based on the fee schedule that the Board has accepted. Mr. Fontane further stated that staff would support a fee waiver if it is the intent of the applicant to come back with another plan. Mr. George stated that the applicant sought the requested relief in good faith and that staff reviewed the plan in good faith and that he was opposed to the fee waiver request. Upon a motion by Andrew Freilich and seconded by William Bilotta, it was voted 5-0 by David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to close the public hearing. Upon a motion by Andrew Freilich and seconded by William Bilotta, it was voted 4-1 by David George, Andrew Freilich, Kola Akindele, Timothy Loew and (William Bilotta voting no) to grant Leave to Withdraw without Prejudice. Upon a motion by William Bilotta, and seconded by Timothy Loew, it was voted 0-5 by David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to grant the fee waiver request.

## **Exhibits:**

Exhibit A – Special Permit and Variance Application.

Exhibit B - Plan submitted July 30, 2010

Exhibit C – Letter for continuance submitted by Atty. Jonathan Finkelstein dated September 14, 2010

Exhibit D – Letter requesting Leave to Withdraw by Atty. Jonathan Finkelstein dated October 14, 2010

2. **805 West Boylston Street (ZB-2010-038) Special Permit: To allow an Automobile Refueling Station in an ML-0.5 zone.** The item was taken up at the same time with item #3. Todd Brodeur presented the plan for an automobile refueling station with a kiosk. He stated that the issue of traffic had been discussed several times and that they would like to describe the changes made to the plan. Patrick Dunford said that the traffic study that was prepared by identifying site access points, for one full access and an exit only that each have safe sight lines, the traffic signal up the street, existing conditions and future buildouts and the combined uses of the fueling pumps and bank and assuring that the driveways would be able to handle the amount of traffic. He said that standard data for similar uses was given to the city's traffic department. He said the traffic department's comments were regarding the 180-foot drive-through length and the 90 degree angle parking spaces. He stated that the plan was modified to eliminate two parking spaces and reduce 5 spaces to 4 parking spaces and that traffic will go counter clockwise on the site and there will be a delineation of the bank and fueling station uses with a 2-foot wide concrete area as a reminder for drivers. Mr. George questioned why the applicant needed a Special Permit for the reduction of the drive-through length. Mr. Kelly explained that the length is calculated after the parking spaces that interfere with the circulation of the drive-through and that it is approximately 150 feet in length.

Mr. George further said that the Board had requested information on 2 items, one which is if two specially permitted uses are allowed on one lot and the other was that the city's traffic department review the plan and comment in writing. The Law Department's reply is that the two specially permitted uses are allowed and the city's traffic department sent a memo to the board regarding the plan. Mr. Finkelstein stated that there was a new memo submitted by the petitioner and that the Board should make determinations on the criteria. He stated that he had requested at the last meeting, the name of the bank and that he believes that both the ZBA and the abutters are entitled to know the end user to determine how the site will be operated. He further stated that the Board must look at the social impact of the use and its impact on the residential uses nearby and other gas stations. He said that he did not believe that one employee in a kiosk is a social benefit. Mr. Brodeur said that the Findings of Fact relative to the gas station use is important in that Wendy's is struggling and will be shut down and that the proposal is for two uses on the site which will make it more productive with the bank facility. The jobs on the site will be replaced by new use and the gas station use will be a second employment opportunity. He further stated that what is being proposed is a bank and refueling station and not the end user. Mr. George asked if there was a bona fide end user or if the proposal was speculative. Mr. Brodeur stated that there was a specific end user. Pat Ramstrom stated that she is the owner of the gas station across the street and is concerned that if this proposal is approved, she might be put out of business. Peter Gearin of

Volta oil stated that he is the lessee of the Ramstrom property and that they are an experienced retail gas company and that he believes that Stop and Shop is the end user and that they offer gas at discount pricing at very high volumes. He further stated that the truck deliveries will create an economic hardship to the area businesses. Jamie Cobb stated that there are 5 gas stations in the area and that this one will be a super pumper. He said it will create a negative impact on the traffic in the area and the natural environment with gas being delivered and sold at pumps. He questioned if Wendy's is struggling at the site, how can a sixth gas station do any good to the other gas stations in the area. He also said that the gas industry has made it difficult to survive and that his station is struggling. He further said that the turning radius on the plan is difficult to meet. Ian Gow stated that he owns an apartment building across the street and the tenants have trouble with access to the house and with an increase of traffic, it will be more difficult for them. Joel Greene stated that the standard of review is a balancing of the impacts. He said that the burden of proof for the criteria of the special permit is on the applicant and that in this petition, there is no social need met and that the impact on the neighborhood and environment is negative. He further stated that the other impacts are neutral. The Board discussed the conditions of approval as follows:

- Submit 6 copies of final revised plans to the Division of Planning & Regulatory Services which show the following:
  - Remove the first point of service (one of the two drive-through windows) that is furthest away from West Boylston Street to lengthen the drive through lane length.
  - Annotate the escape lane length to the remaining point of service (located about 68-ft from West Boylston Street).
  - Move the designated snow storage area from the 4 parking spaces in the western portion of the site.
  - Show turning radii for trucks delivering fuel to the site.
- The two proposed Underground Storage Tanks, at minimum, be double-walled given their proximity to the Water Resources Protection Overlay District.
- The hours of operation are from 6AM to 10PM.
- Delivery hours are on off-peak business hours.
- Semi-annual maintenance program for landscaping and fencing.
- The structure be constructed in substantial accordance with the final approved Special Permit plan and Definitive Site Plan.

Mr. Freilich was concerned with the plan and the tractor trailers making a mess of the traffic situation in the area. He stated that both the 4 parking spaces and tanker deliveries are a problem on this site. Mr. Dunford said that the truck turning plan demonstrates that the truck enters the site, off loads to the passenger side and turns and exits through the main entrance. Mr. Freilich reiterated that the truck turning is a problem. He said that the tractor trailer must park perfectly, the bank and fuel pump traffic must be light and that this is a lot of activity for this site. Mr. Bilotta offered as another condition of approval that a fuel pump be shut down when deliveries are made. Mr. Brodeur requested a continuance to November 8, 2010 to allow time to modify the plan with regards to landscaping buffers and aisle widths. Upon a motion by William Bilotta and seconded by Timothy Loew, it was voted 5-0 by David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to grant the petitioner's request for a continuance to November 8, 2010

Exhibit A: Special Permit Application (ZB-2010-038); received July 27, 2010.

- Exhibit B: Special Permit Application (ZB-2010-038A); received July 27, 2010.
- Exhibit C: Special Permits Plan, prepared by VHB; dated July 26, 2010, received July 27, 2010; revised October 5, 2010, received October 7, 2010 (with cover letter).
- Exhibit D: Letter, September 13, 2010, from Jennifer H. Beaton, Assistant City Solicitor; Re: 805 West Boylston Street – Multiple Special Permitted Uses on a Single Lot.
- Exhibit E: Letter, September 15, 2010, from Ali R. Khorasani, P.E., Assistant Director of Engineering, City of Worcester; dated September 15, 2010 re: “West Boylston Street Redevelopment,” revised October 12, 2010 re: “re: “West Boylston Street Redevelopment – revised plans.”
- Exhibit F: E-mail and Plan of Proposed Tanks, August 30, 2010, from Attorney Brodeur, re: the “typical” sheet for the undergrounds storage tanks proposed as part of the above project.
- Email G Supplemental Special Permit findings of fact and narrative prepared by Atty. Brodeur, dated Oct. 13, 2010, submitted October 14, 2010.

- 3. 805 West Boylston Street (ZB-2010-038) Special Permit: To allow a bank/credit union with a drive-through and Special Permit: To modify the parking/loading requirements to allow the drive-through length of 110 feet for a bank/credit union (180 feet required).** The item was taken up at the same time with item #2 . Todd Brodeur presented the plan for a drive-through of 110 feet in length to convert the Wendy’s restaurant to a bank/credit union and use the existing drive-through. Mr. Brodeur requested a continuance to November 8, 2010 to allow time to modify the plan with regards to landscaping buffers and aisle widths. Upon a motion by William Bilotta and seconded by Timothy Loew, it was voted 5-0 by David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to grant the petitioner’s request for a continuance to November 8, 2010.

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- Exhibit B: Special Permit Application (ZB-2010-038A); received July 27, 2010.
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- Email G Supplemental Special Permit findings of fact and narrative prepared by Atty. Brodeur, dated Oct. 13, 2010, submitted October 14, 2010.

4. **443 Chandler Street (ZB-2010-042) – Special Permit: For expansion or change of a pre-existing non-conforming structure/use and Variance for relief of 15.30 feet from the frontage requirement.** Ben Kaplan, petitioner, presented the plan. He stated that there is a two-family structure on the parcel and the lot is currently lacking 11 feet of frontage. He stated that he is requesting a Special Permit to allow a three-family and that, with that use, the lot is lacking 15.3 feet of frontage. He is also requested relief to allow parking in the exterior side yard setback. Laurey Cousins stated that if he is allowed to change from a two-family to a three-family, she is concerned with public safety. She said that cars already park in the street whether or not parking is provided and with the reduction of parking as a result of curb cuts, there will be more problems. She said that she sent a complaint letter to the city stating that more people were living a house than what is allowed. Mr. George said that a floor plan was provided and asked if it conformed from a building code perspective. Mr. Kelly stated that the dwelling unit must have two doors for egress. Mr. Kaplan stated that the ceiling height meets the city's standards and that he thought window wells were an allowed egress. Mr. George and Mr. Bilotta both stated that they were not comfortable with the plans. Mr. Kaplan further stated that he changed the parking plan as a result of neighbor concerns. Upon a motion by William Bilotta and seconded by Timothy Loew, it was voted 5-0 by David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to grant the petitioner's request for a continuance to December 20, 2010 and extend the board final action date to February 24, 2011.

Exhibit A– Special Permit and Variance Application dated 8/17/2010 submitted by Benjamin Kaplan, received 8/14/10

Exhibit B – Plot Plan, dated 8/17/2010 prepared by S.J. Mullaney Engineering, Inc., received August 18, 2010.

Exhibit C – E-mail, dated 10/12/10, submitted by Laurey and Aldrich Cousins

5. **443 Chandler Street (ZB-2010-042A) – Special Permit: To allow a three-family detached dwelling in an RL-7 zone and Variance for relief of parking in the exterior side yard. This item was taken contemporaneously with item #4.** Upon a motion by William Bilotta and seconded by Timothy Loew, it was voted 5-0 by David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to grant the petitioner's request for a continuance to December 20, 2010 and extend the board final action date to February 24, 2011.

Exhibit A– Special Permit and Variance Application dated 8/17/2010 submitted by Benjamin Kaplan, received 8/14/10

Exhibit B – Plot Plan, dated 8/17/2010 prepared by S.J. Mullaney Engineering, Inc., received August 18, 2010.

Exhibit C – E-mail, dated 10/12/10, submitted by Laurey and Aldrich Cousins

## NEW BUSINESS

**6. Providence and Millbury Streets (MBL 10-38-014-1) (ZB-2010-043) – Special Permit: To allow a bank/credit union with a drive-through and Special Permit: To modify parking and landscaping with respect to 1) drive-through length and width, 2) escape lane requirements, 3) landscaping requirements .** Al Trakimas presented the plan for the construction of a 2,560 sf. bank for Millbury Savings Bank with associated parking and two drive-through lanes and an escape lane. He stated that the plan consists of 5 tellers and one ATM drive-through with customer parking in the front of the bank and the parking spaces in the rear of the bank for employee parking. Mr. Morton said that the ATM and one teller are in the same drive-through lane. He further clarified that there will be 5 tellers inside the bank, one ATM and one teller in drive-through lanes. He also said that the bank will have 6 employees with bank hours of 9 AM to 4PM on Monday through Wednesday , 9AM to 5PM on Thursday and Friday and 9AM to 12 PM on Saturday. Mr. George asked about the drive-through length and the peak number of cars. The answer is that the drive-through is 110 ft and that the five cars can be stacked but that the bank’s history is that generally there are only three cars. Mr. George asked for clarification regarding the marked parking spaces outside the parking lot. Mr. Trakimas stated that the bank has an agreement to use the area for access and egress and that the parking spaces are not part of the required spaces. Upon a motion by Andrew Freilich and seconded by Kola Akindele , it was voted 5-0 by David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to close the public hearing. Upon a motion by Andrew Freilich and seconded by Kola Akindele, it was voted 5-0 by David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to grant the requested Special Permit: To allow a bank/credit union with a drive-through and Special Permit: To modify parking and landscaping with respect to 1) drive-through length and width, 2) escape lane requirements, 3) landscaping requirements with the following conditions:

- 1.) Provide one (1) additional tree in the landscape buffer along Providence Street and one (1) additional tree in the landscape buffer along Millbury Street.
- 2.) Provide “Exit” signs along the entire escape lane, directing the traffic off-site and not into a drive-through lane.
- 3.) That the structure be constructed in substantial accordance with the final approved definitive site plan by the Planning Board and with the submitted rendering prepared by FCI Associates submitted 9/13/10. The final revised plans should include zoning lines labeled on the plan and recommended changes above.

Exhibit A – Zoning Board of Appeals Special Permit Application – submitted September 13, 2010, prepared by SiteC Environmental

Exhibit B – Millbury Savings Bank – Site Plan, dated September 7 2010, SiteC Environmental, Received September 13, 2010

**7. 16 Salisbury Street (ZB-2010-044) – Special Permits: 1) For Expansion or change of a pre-existing non-conforming structure, 2) To modify parking layout with respect to access aisle width, 3) To modify parking requirements to allow for 8 stacked parking spaces and layout requirements with respect to reducing landscape buffers and a Variance for relief of 94 feet from the frontage requirement.** David Sherer presented the plan for the existing structure, the former Boys’ Club, which is a non-conforming structure in the BG-6 zone. He stated that they are purchasing the building and getting an easement next

to the building which is the former location of Old Prescott Street. He said that parking is not required but they are providing 4 rows of 8 stacked parking spaces but cannot provide a 24 ft aisle width. He stated that the property abuts a church lot and that there is no landscape buffer. He further said that the building has 106 ft of frontage on Grove Street and that 200 ft are required. He said that the project is exempt from wetlands and historic review and that it is a priority development site. Mr. George asked about the access to the parking area. Mr. Sherer said that it was from Lincoln Street through existing curb cuts. Mr. Freilich asked about the unit size. Mr. Sherer said that there is a mix of 1, 2 and 3 bedroom units and that there will be no exterior changes, except for repointing of brick work, roof repairs and window restoration and that the existing entrance from Lincoln Square will remain. Upon a motion by William Bilotta and seconded by Andrew Freilich, it was voted 5-0 by David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to close the public hearing. Upon a motion by Andrew Freilich and seconded by Kola Akindele, it was voted 5-0 by David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to grant the requested Special Permits: 1) For Expansion or change of a pre-existing non-conforming structure, 2) To modify parking layout with respect to access aisle width, 3) To modify parking requirements to allow for 8 stacked parking spaces and layout requirements with respect to reducing landscape buffers and a Variance for relief of 94 feet from the frontage requirement with the condition that two final revised plans be submitted that reflect the Planning Board's conditions of approval to close out the ZBA's file.

- 8. 451 Lincoln Street (ZB-2010-045) – Special Permits: 1) For expansion or change of a pre-existing non-conforming structure, 2) To allow a bank/credit union with a drive-through, 3) To modify parking and landscaping with respect to a) drive-through length and width, b) escape lane requirements, c) landscaping requirements.** Robert Longden, Brian Tomsen, Barry Much, Mike Scott and Richard Hakala, representatives, presented the plan to reuse the existing building (2,050 SF) and lot, formerly occupied by a Friendly's restaurant, as a drive-through bank for Commerce Bank. He stated that the lot is 13,943 sf. and that there are 26 parking spaces, with a 5-foot landscape buffer, which will remain. He stated that they are seeking a Special Permit for expansion or change of a pre-existing non-conforming structure as the existing structure is 1.2 feet from the side yard setback and there will be no changes to the structure. He said that the length of the two proposed drive-throughs is 65 feet and the width is 8 feet, where 10 feet is required. He stated that they are adding landscaping. He said that the bank has provided data regarding queuing for the Commerce Bank at 414 Main Street and has indicated that from a business operation and traffic safety standpoint, bank management is confident that two (2) drive through lanes of 65' would be sufficient for this location. The data provided includes the 15 minute interval in which peak transactions and number of vehicles occurred at Commerce Bank's Main Street branch. This information demonstrates that the drive through lane lengths proposed will be sufficient to accommodate anticipated demand for drive through services at this location. He further stated that the Zoning Ordinance regulations regarding drive-through lanes were ordained by City Council in November 2003. Since that time, the proliferation of online banking has significantly changed banking operations allowing customers to conduct many transactions by personal computer or even phone instead of at physical bank locations. He said that one drive-through lane has a teller window and the outer drive-through lane will be serviced by a pneumatic system. He also said that the windows are large enough to have more than one teller, if volume warrants. Mr. Freilich asked if the layout is the same as their Park Avenue location. Mr. Murchi stated that a tower will be installed and it will look the

same. Mr. Freilich said that the city's traffic engineer feels that Marsh Avenue can handle the traffic, but was concerned that the traffic light at the intersection is quite long. Mr. Longden explained that the traffic will enter from Lincoln Street and exit onto Marsh Avenue and there will be no conflict within the site. He also said that the traffic signal will be removed from the intersection of Marsh Avenue and Lincoln Street. Mr. Kelly confirmed that the light will be removed.

Mr. Longden said that he believes traffic will be dealt with like other streets that do not have a light and that there will be less traffic for the bank use than for a restaurant use. Mr. George questioned the use adjacent to the bank and if that business will use the site for its access. He further said that he would like as a condition of approval, that access to the abutting property be blocked. Mr. Longden stated that there was no agreement between the two properties, but that the bank does not see the abutter using the site for its access as a problem and does not want to accept that condition. Mr. George withdrew his suggested condition. Upon a motion by William Bilotta and seconded by Andrew Freilich, it was voted 5-0 by David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to close the public hearing. Upon a motion by and seconded by, it was voted 5-0 by Board members David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to approve the requested Special Permits for 1) Expansion or change of a pre-existing non-conforming structure, 2) to allow a bank/credit union with a drive-through and 3) to modify parking and landscaping with respect to 1) drive-through length and width, 2) escape lane requirements, 3) landscaping requirements with the following conditions:

- 1) That the drive-through lanes shall not include ATM service.
- 2) That drive through service be operated to minimize vehicle queue length to less than or equal to on-site capacity.
- 3) That the drive through canopy include a sign for each lane indicating whether a drive through lane is open or closed, and that said signs be actively utilized by closing drive through lanes as needed to ensure that queue length does not exceed on-site capacity.
- 4) That data be collected for this location on a daily basis, in 15 minute intervals, regarding the number of transactions and the number of vehicles; and that said data be made available upon request by the Building Commissioner to aid in the determination of whether queue length exceeds on-site capacity and to determine peak hours of operation.
- 5) Should the Building Commissioner determine that queue length exceeds on-site capacity or that the drive-through use causes a disruption to traffic flow and safety, a police detail shall be hired during peak hours of operation or drive through service shall be closed.
- 6) That the site be constructed in substantial accordance with the final approved Parking Plan addressing issues identified in this memo.
- 7) That the applicant is responsible for the maintenance of plantings proposed within the Marsh Avenue right of way and shall comply with requests by the City Forester regarding the maintenance of the plantings in accordance with applicable City policies regarding street trees.

And provided it is in accordance with the final approved Parking Plan submitted on file with the City of Worcester and in compliance with all governmental codes.

- 9. 266 Chandler Street (ZB-2010-046) - Special Permits: 1) To allow a bank/credit union with a drive-through, 2) To modify parking and landscaping with respect to a) drive-through length and width, b) escape lane requirements, c) landscaping requirements.** John Shea, Jeff Howland, Chris Snell and Joe Retavanek, representatives, presented the plan. He said that the site of the proposed project is west of Park Avenue, next to Walgreen's and is the site of a former gun range. He stated that they had a neighborhood meeting on October 5, 2010 to discuss the proposal. He said that they are developing the eastern portion of the vacant lot by constructing a bank with 3 drive-through lanes, one will have a teller and ATM and the others will be serviced by pneumatic tubes. He said that the bank is currently located at 278 Park Avenue and will be moving around the corner. He said that the bank now has 46 feet of drive-through length and that they have not had any back ups into the street and that the new drive-throughs will be longer. He further stated that he was informed on Friday that the city is requiring a more detailed traffic study. Mr. Bilotta asked if there is a decrease in transactions, why are three drive-through lanes needed. Mr. Retavanek said that the bank is providing a convenience to its customers and that the location is vehicle centric, with a drive-up ATM and two other lanes that will be available for pneumatic transactions. Mr. Freilich asked if there were any plans for the development of other parts of the lot. Mr. Howland stated that the parcel is a stand alone parcel and that the bank is only developing the lot for its use. Mr. Freilich further said that he thinks it looks like the traffic flow will work for the site and asked about betterments to the adjacent street. Mr. Howland said that no street betterments were planned. Mr. George asked what the expected number of vehicles would be during peak times. Mr. Retavanek said that the present location has a 46-foot drive-through and that there are about 5 vehicles during the peak time. Mr. George further questioned how they plan to avoid a problem with lane 3 not being confused as an exit lane. Mr. Howland stated that people will move from lane to lane to obtain service. Mr. Bilotta stated that he would like to see only two lanes and not three lanes. Mr. George agreed. Mr. Shea stated that this plan was designed for the convenience of the bank's customers and that it is a better design for lane queuing. He said that the entrance closest to Chandler Street is positioned to go straight across to Walgreen's. Mr. Freilich said that if people perceive that it will be faster, they will move between lanes and that he likes the three lane design. Mr. Retavanek reiterated that the bank would like to maintain the current design. Upon a motion by William Bilotta and seconded by Andrew Freilich, it was voted 5-0 by David George, Andrew Freilich, William Bilotta, Kola Akindele and Timothy Loew to grant the petitioner's request for a continuance to November 8, 2010.

Exhibit A: Special Permits Application and plan received September 14, 2010.

Exhibit B: Revised Special Permit Plan with cover letter received October 8, 2010

### **Other Business:**

**Zoning Ordinance Discussion:** Mr. George requested that the zoning ordinance be changed with respect to drive-through and escape lane lengths. He stated that the Board has been granting Special Permits to allow a lesser length than the ordinance requires and that if banking has changed to not require the longer lengths that ordinance should be updated to reflect the industry trend.

**Fee Waiver for Florica Frigiou:** Mr. George continued the item to November 8, 2010 so that more information could be provided.

**Lodging House Rules:** Mr. George continued the item to November 8, 2010.

**Amendment to Rules and Regulations:** Mr. Fontane requested a Special Meeting of the Board to allow time for posting the meeting in order to discuss the Rules and Regulations change. The purpose of the special meeting is to vote to advertise the amendment to the Rules and Regulations of the Board that would allow the hiring of a consultant to provide professional expertise in areas where the Board and the city cannot provide the expertise.

### **Adjournment**

Chair George adjourned the meeting at 9:15 pm.