

**MINUTES OF THE PROCEEDINGS OF THE
PLANNING BOARD OF THE CITY OF WORCESTER**

June 4, 2014

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Planning Board Members Present: Andrew Truman, Chair
Robert Ochoa, Clerk
John Vigliotti
Andrew Freilich

Planning Board Members Absent: Satya Mitra, Vice Chair

Staff Present: Stephen Rolle, Division of Planning & Regulatory Services
Domenica Tatasciore, Division of Planning & Regulatory Services
Jon Gervais, Department of Public Works
Katie Donovan, Department of Inspectional Services
Alexandra Haralambous, Law Department

BOARD SITE VISITS

CALL TO ORDER

Chair Andrew Truman called the meeting to order at 5:30 P.M.

REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS, WITHDRAWALS

1. **Bittersweet Boulevard - Lots 18L&R, 113-116L&R (MBL 29-11A-0018, MBL 29-11A-0113 through 116; aka 0 Sarah Drive, Arboretum Phase IV) – Definitive Site Plan Approval (PB-2013-048) (5 duplex lots, 10 dwelling units)**

Mr. Truman stated that there was one voting members for this item missing so the item cannot be taken up.

Upon a motion by Mr. Ochoa and seconded by Mr. Vigliotti, the Board voted 4-0 to continue the item to June 25, 2014.

List of Exhibits:

Exhibit A: Bittersweet Boulevard Application; received November 27, 2013; prepared by HS&T Group, Inc.

Exhibit B: Bittersweet Boulevard Plan; dated November 27, 2013; prepared by HS&T Group, Inc; revised 2/26/2014 & 3/28/14 & 5/23/14.

- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: Bittersweet Boulevard; dated January 22, 2014, revised March 21, 2014, April 23, 2014, June 3, 2014.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: Bittersweet Boulevard Definitive Site Plan Approval; January 16, 2014; revised March 21, 2013 & May 29, 2014.
- Exhibit E: Comments from the City of Worcester Fire Department; re: Bittersweet Boulevard Definitive Site Plan Approval; January 17, 2014, revised via e-mail dated March 26, 2014.
- Exhibit F: Enforcement Order for Arboretum Subdivision (Phase IV) Bittersweet Boulevard off Sophia Drive issued by Conservation Commission 7/26/2013.
- Exhibit G: Request for Postponement form to allow the applicant time to revise plans, dated and received 1/22/2014.
- Exhibit H: Transmittal from H S & T Group; re: Bittersweet Boulevard Definitive Site Plan; dated February 26, 2014; Revised March 26, 2014, May 23, 2014.

2. **38 Toronita Avenue (Lots 1, 2 & 3) – Definitive Site Plan Approval (PB-2014-008)**

Mr. Rolle stated that the applicant requested a continuance to July 16, 2014 to allow resolution of issues with the Conservation Commission.

Upon a motion by Mr. Ochoa and seconded by Mr. Freilich, the Board voted 4-0 to continue the item to July 16, 2014.

List of Exhibits

- Exhibit A: Definitive Site Plan Application; prepared by AET Realty Trust; received March 12, 2014
- Exhibit B: Definitive Site Plan; prepared by Quinn Engineering, Inc.; dated March 11, 2014.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 38 Toronita Avenue (Lots 1, 2 and 3); dated April 23, 2014
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 38 Toronita Avenue, Site Plan Application – PB-2014-008; dated April 17, 2014.
- Exhibit E: Email from Carl Hultgren of Quinn Engineering, representative for AET Realty Trust re: 38 Toronita Avenue (postpone meeting to May 15, 2014); dated and received April 30, 2014.
- Exhibit F: Definitive Site Plan; prepared by Quinn Engineering, Inc.; dated March 11, 2014; revised May 1, 2014; received May 7, 2014.

3. **4 Bird Street - Definitive Site Plan Approval (PB-2014-016)**

Mr. Rolle stated that the applicant requested a postponement to June 25, 2014 to allow resolution of issues with the Conservation Commission.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the Board voted 4-0 to continue the item to June 25, 2014.

List of Exhibits.

Exhibit A: 4 Bird Street Definitive Site Plan Application; received May 1, 2014; prepared by Normand R. Champigny.

Exhibit B: Definitive Site Plan – Boston Avenue & Bird Street, Worcester, Massachusetts Plan; dated May 1, 2014; prepared by GRAZ Engineering, LLC.

Exhibit C: Request for Postponement and Extension of Constructive Approval Date from owner Normand Champigny to the Planning Board; dated May 29, 2014.

NEW BUSINESS

4. **Sarah Drive (aka 0 Sarah Drive (MBL 29-11A-00090) & 86 Upland Street (MBL 29-045-00001)) – Definitive Subdivision Plan Approval (PB-2013-050) for seven lots**

Upon a motion by Mr. Ochoa and seconded by Mr. Vigliotti, the Board voted to open the public hearing.

Attorney Mark Donahue stated that his client would also like this item postponed to June 25, 2014. Mr. Rolle stated that the constructive grant deadline should be extended to July 20, 2014.

Upon a motion by Mr. Ochoa and seconded by Mr. Freilich, the Board voted 4-0 to postpone the item to June 25, 2014 and extend the constructive grant deadline to July 20, 2014.

List of Exhibits.

Exhibit A: Definitive Subdivision Plan Application; received December 19, 2013; prepared by Robert Gallo – Fix Hill Builders.

Exhibit B: Definitive Subdivision Plan; dated December 19, 2013; prepared by HS&T Group, Inc.

Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: Sarah Drive (aka 0 Sarah Drive & 86 Upland Street) – Definitive Subdivision Plan Approval; June 3, 2014.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: Sarah Drive Subdivision Application – PB-2013-050; dated May 19, 2014.

Exhibit E: Request to postpone the hearing to June 4th, 2014 and to extend Constructive Grant Deadline to June 20th, 2014; dated April 25, 2014.

5. **Bittersweet Boulevard - Lots 81-86L&R (MBL 29-11A-0081 through 86; aka 0 Sarah Drive, Arboretum Phase IV) – Definitive Site Plan Approval (PB-2014-009) (5 duplex lots, 10 dwelling units)**

Attorney Mark Donahue stated that his client would also like this item postponed to June 25, 2014.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the Board voted 4-0 to postpone the item to June 25, 2014.

List of Exhibits:

Exhibit A: Bittersweet Boulevard Lots 81-86 Application; received March 21, 2014; prepared by Arboretum Village, LLC.

Exhibit B: Bittersweet Boulevard Lots 81-86 Plan; dated March 12, 2014; prepared by HS&T Group.

Exhibit C: Rendering; dated March 12, 2014; prepared by HS&T Group.

Exhibit D: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: Bittersweet Boulevard Lots 81-86; dated May 30, 2014.

Exhibit E: Request for Postponement to June 4, 2014 from Mark Donahue, Applicant's Attorney, to the Planning Board; dated 4/25/14.

6. **CCRC development off of Salisbury St (fka 727 & 757 Salisbury St) & 0 Salisbury St – Amendment to Special Permit (PB-2014-007A)**

Upon a motion by Mr. Freilich and seconded by Mr. Vigliotti, the Board voted to open the public hearing for the Amendment to Special Permit.

Attorney Mark Donahue stated that on January 23, 2002, the Planning Board approved a Definitive Site Plan, More than One Building on a Lot Plan and a Special Permit for the development of a Continuing Care Retirement Community (Salisbury Hill). Salisbury Holdings LLC acquired the development rights in 2012 and began to complete Phase I. The previous developer had some financial issues and difficulties maintaining the property, but the situation has improved under the current developer. This Amendment to Special Permit and Definitive Site Plan has been discussed with the current unit owners on April 27, 2014 and a letter was submitted to the Board stating the conclusion to that meeting, which was that the majority of the unit owners voted to support the amendments with some conditions.

Attorney Donahue stated that the unit owners are asking to eliminate the condition requiring community center construction within 42 months of the amendment and replace with a condition that the construction of the community center commence on or before December 30, 2015, and construction substantially completed on or before June 30, 2016. They had no objection to tying the construction of the Barrows Road connection to the construction completion of the 100th unit.

Mr. Rolle stated that staff had no modification to the applicant's findings of fact. He also noted that staff have researched the history of this Special Permit and concluded that it does only

applies to this property and not to the adjacent parcel under common ownership. Staff has no objections to the proposed amendments.

Joseph Lewis, 692 Salisbury Street, stated that he purchased his house in 2006 and a catch basin was installed in front of his house in 2007. Salisbury Holdings later purchased the land in front of him and that catch basin has been plugged with cement, resulting in a lake of water in front of his property every time it rains. Mr. Lewis showed the Board some pictures he had.

Mr. Gervais stated that DPW&P is aware of the issue. The catch basin was installed by the City to solve a puddling problem and it drained to an outfall on the Salisbury Holdings property. He did not have all the details and was unsure as to when it will be resolved. He stated that there were people looking for a solution. The previous owners had plans to re-route that drainage through the drainage for the units constructed but it is unsure what the new owners are planning to do.

Mr. Freilich asked if the catch basin will be used for the new project.

Mr. Gervais stated that the way the catch basin drained created permitting issues for the developer, which is why they sealed up the catch basin. This has no bearing on the project.

Mr. Truman stated that this was an issue Mr. Lewis would need to bring to the attention of DPW&P.

Mr. Rolle stated that suggested conditions of approval outlined in the memo:

- 1) That all previous conditions of approval are re-affirmed;
- 2) That the following are submitted to the Division of Planning & Regulatory Services for the record prior to issuance of any further Building Permits for the project:
 - a. Six (6) copies of to-scale plans reflecting conditions of approval to date and clearly delineating the boundary and labeling the area of the CCRC;
 - b. Six (6) copies of the open space covenant restriction pursuant to Article X, Section 4.2 of the Worcester Zoning Ordinance in compliance with the original 2001 condition of approval;
 - c. Amended service provider agreement with the Jewish HealthCare reflecting new ownership.

Mr. Donahue stated that he was amenable to those conditions. He stated that the service provider agreement has no sunset date and is still in operation so he asked if a letter confirming that would be sufficient. The continuing care agreement runs with the land, not the owner. Mr. Rolle stated that it would be.

Milton Frem, 1 Tideswell Ln, stated that he has been a resident of Salisbury Hills for 8 years. Mr. Frem stated that Salisbury Holdings took over and they have been great stewards for the property, unlike the previous owners. He stated that approximately 85% of the unit owners voted for the extension.

Upon a motion by Mr. Ochoa and seconded by Mr. Vigliotti, the Board voted 4-0 to close the public hearing.

Upon a motion by Mr. Vigliotti and seconded by Mr. Ochoa, the Board voted 4-0 to approve the

(1) Extension of the completion date deadline by additional five years (to July 2, 2020);

(2) Eliminate the condition requiring community center construction within 42 months of the amendment and replace with a condition that the construction of the community center commence on or before December 30, 2015, and construction substantially completed on or before June 30, 2016.

(3) Eliminate the condition requiring Barrows Road connection within 42 months and modify the requirement by tying it construction completion of the 100th unit.

With the following conditions of approval:

- 1) That all previous conditions of approval are re-affirmed;
- 2) That the following are submitted to the Division of Planning & Regulatory Services for the record prior to issuance of any further Building Permits for the project:
 - a. Six (6) copies of to-scale plans reflecting conditions of approval to date and clearly delineating the boundary and labeling the area of the CCRC;
 - b. Six (6) copies of the open space covenant restriction pursuant to Article X, Section 4.2 of the Worcester Zoning Ordinance in compliance with the original 2001 condition of approval;
 - c. That six (6) copies of a letter providing satisfactory evidence of ongoing service provider agreement with the Jewish HealthCare be submitted to the Division of Planning and Regulatory Services (DPRS).

List of Exhibits.

- Exhibit A: Special Permit Amendment Application and Definitive Site Plan Amendment Application; received 3/11/2014; prepared by Salisbury Holding, LLC.
- Exhibit B: Site Plan; last revised February 1, 2005; prepared by Thomson-Liston Associates, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: CCRC development off of Salisbury St (fka 727 & 757 Salisbury St) & 0 Salisbury St – Amendment to Special Permit (PB-2014-007A) and CCRC development off of Salisbury St (fka 727 & 757 Salisbury St) & 0 Salisbury St – Amendment to Definitive Site Plan Approval (PB-2014-007B); June 3, 2014.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 727 Salisbury Street - Amendment to Special Permit & Site Plan – PB-2014-007; dated April 17, 2014.
- Exhibit E: Request to Postpone to June 4th and extend Constructive Grant Deadline to June 20th; dated April 30, 2014.
- Exhibit F: Letter from Fletcher & Tilton Attorneys at Law to the abutters; re: Salisbury Holdings, LLC etc.; dated May 2, 2014; received May 5, 2014.
- Exhibit G: Letter of non-objection from Sandra S. Landau; re: 727 and 757 Salisbury St.; dated 5/24/2014.

- Exhibit H: Memo from Angelo Catanzaro of Catanzaro and Allen Attorneys at Law; re: Salisbury Street ANR lots; dated April 7, 2014.
- Exhibit I: Letter from Mark Donahue of Fletcher & Tilton Attorneys at Law to the Board requesting revision to requested change in conditions; received June 3, 2014.

7. **CCRC development off of Salisbury St (fka 727 & 757 Salisbury St) & 0 Salisbury St – Amendment to Definitive Site Plan Approval (PB-2014-007B)**

Attorney Mark Donahue stated that they seek to amend the Definitive Site Plan Amendment last amended in 2006 to reconfigure Building 17 from a single-structure 4-unit dwelling to two structures with 2-units each. The rear setback, landscaping, etc will remain the same.

Ms. Donovan asked if this was the only building they were changing or did they expect to come back in the future with more. Mr. Donahue stated that this was the last one in Phase I but as they start working on the other Phases it might trigger additional modifications.

Mr. Rolle stated that submitted plans do not include revisions that reflect conditions of the 2010 Special Permit amendment approval. Staff requests that the revised plans clearly reflect delineation and area of the CCRC. Mr. Donahue stated that he was amenable to those conditions.

Upon a motion by Mr. Vigliotti and seconded by Mr. Ochoa, the Board voted 4-0 to approve the Amendment to Definitive Site Plan with the conditions in the memo (and mentioned above by Mr. Rolle).

List of Exhibits.

- Exhibit A: Special Permit Amendment Application and Definitive Site Plan Amendment Application; received 3/11/2014; prepared by Salisbury Holding, LLC.
- Exhibit B: Site Plan; last revised February 1, 2005; prepared by Thomson-Liston Associates, Inc.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: CCRC development off of Salisbury St (fka 727 & 757 Salisbury St) & 0 Salisbury St – Amendment to Special Permit (PB-2014-007A) and CCRC development off of Salisbury St (fka 727 & 757 Salisbury St) & 0 Salisbury St – Amendment to Definitive Site Plan Approval (PB-2014-007B); June 3, 2014.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 727 Salisbury Street - Amendment to Special Permit & Site Plan – PB-2014-007; dated April 17, 2014.
- Exhibit E: Request to Postpone to June 4th and extend Constructive Grant Deadline to June 20th; dated April 30, 2014.
- Exhibit F: Letter from Fletcher & Tilton Attorneys at Law to the abutters; re: Salisbury Holdings, LLC etc.; dated May 2, 2014; received May 5, 2014.
- Exhibit G: Letter of non-objection from Sandra S. Landau; re: 727 and 757 Salisbury St.; dated 5/24/2014.

Exhibit H: Memo from Angelo Catanzaro of Catanzaro and Allen Attorneys at Law; re: Salisbury Street ANR lots; dated April 7, 2014.

Exhibit I: Letter from Mark Donahue of Fletcher & Tilton Attorneys at Law to the Board requesting revision to requested change in conditions; received June 3, 2014.

8. **0 Quinsigamond Avenue (aka 42, formerly 40 Quinsigamond Ave; MBL 05-022-0102B) (PB-2014-015)**

Steve O'Neil, Administrator of the Worcester Regional Transit Authority (WRTA), stated that the new maintenance and operations facility that they are proposing to build is triggering Planning Board approval due to the slope of the land and the gross square footage of the building. Mr. O'Neil introduced the architect, Neal DePasquale and stated that the current facility on Grove Street is 85 years old. The new WRTA Hub was completed a year ago and this is a companion facility that is closer than the one on Grove Street.

Mr. DePasquale stated that they bought the 11-acre property from NSTAR gas. Proposed is a vehicle maintenance, storage, and operations facility. It will be a two-story structure, 150,000 SF in size. The first floor will house the 52 buses and 28 vans. It will include an area for fueling, cleaning, washing, and servicing the vehicles. The second floor will house dispatching, administrative offices and a community room. He stated that the main entrance is from Quinsigamond Avenue and all the vehicle turns are inside the building. The vans run on gasoline and will fuel outside the building in the back. Mr. DePasquale stated that they are amenable to the conditions staff suggested. He showed renderings of the building and stated that they want to keep a similar look to the WRTA Hub.

Mr. DePasquale stated that this is a secure site, where employees will have a transponder to get in and visitors will have to check in. But all the parking near the main entrance is on the non-secure side because there is a community meeting room planned on the second floor that can hold approximately 45 people and the public can use the parking as overflow for Crompton Park.

Mr. Gervais stated that catch basin connections shall be comprised of DR-18 pipe not PVC. Mr. DePasquale stated that they were amenable to that change.

Mr. Rolle stated that staff received an email from the applicant responding to the memo and he shared a copy with all the board members.

Ms. Tatasciore stated that this site was formerly known as 40 Quinsigamond Ave and was subdivided into three parcels, one parcel to be used by NSTAR, the second to be used by Innovative Natural Gas, and the third by WRTA. The applicant is currently seeking the following permits/approvals from the Zoning Board of Appeals. The project was initially heard at the May 26, 2014 ZBA meeting and continued to the June 16, 2014 ZBA meeting to allow staff to confirm parking requirements. They have applied for a Special Permit: For waiver of the 5-foot landscape buffer and screening requirements where parking abuts a street. There is an existing easement and they are not able to provide the plantings required. They also requested a Special Permit: To allow accessory storage of flammable liquids/gases/explosives in a MG 2.0 Zone, a Special Permit: For relief of 2 of the 3 required loading spaces (one provided), and a Special Permit: For relief of 10% of the required parking or 15 parking spaces. Relief from this Special Permit is no longer applicable since the plan exceeds the required amount of parking spaces, as per the City's Zoning Ordinance. Staff is in support of the remaining special permits requested.

Ms. Tatasciore stated that on March 17, 2014, the Conservation Commission issued Orders of Conditions for a Notice of Intent application submitted by the WRTA. The comments in the memo have been mostly addressed by the email they sent in response. Ms. Tatasciore asked that the applicant consider providing a photometric map to ensure the lighting is sufficient for pedestrian safety. Mr. DePasquale stated that they did prepare one and they are providing 1.5 foot candle throughout the entire site. There should be more than adequate lighting. Ms. Tatasciore stated that she respectfully recommends approval of the Definitive Site Plan for 0 Quinsigamond Avenue (aka 42, formerly 40 Quinsigamond Avenue) with a suggested condition of approval that 6 copies of final revised plans are submitted to the Division of Planning & Regulatory Services prior to the release of the decision with the addition of the missing information, as stated in the memo.

Jo Hart, Worcester resident, stated that both sites are polluted. She stated that the Wyman-Gordon location was not polluted and would have been the best site for this project. She stated that she believed that the WRTA was making the traffic in Worcester worse and that they did not keep the promises they made regarding the Hub.

Mr. Vigliotti asked where the chain-link fence will be installed and if railings will be installed on top of the retaining wall. Mr. DePasquale stated that anything fronting Quinsigamond Ave will be black-coated chain-link, everywhere else it will be regular chain-link. The retaining wall is under four feet, except in one small section but the chain-link fence will be well above that. Mr. O'Neil stated that they wanted to make the façade look as good as it can.

Mr. Truman asked if there was a crosswalk across Quinsigamond Avenue since some of the parking will be for public use. Mr. O'Neil stated that they can work with DPW&P to establish a safety crosswalk in the area.

Upon a motion by Mr. Ochoa and seconded by Mr. Freilich, the Board voted 4-0 to approve the Definitive Site Plan with the conditions in the memo and that the applicant work with DPW to install a crosswalk.

List of Exhibits.

- Exhibit A: Definitive Site Plan Application; received May 1, 2014 and prepared by Neal DePasquale, Associate/Project Manager with STV Incorporated.
- Exhibit B: Worcester Regional Transit Authority Bus Maintenance and Operations facility at 40 Quinsigamond Avenue Definitive Site Plan; dated May 1, 2014 and revised May 2, 2014; prepared by STV Incorporated of 321 Summer Street, Boston, MA.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 0 Quinsigamond Ave. (AKA 42, formerly 40 Quinsigamond Ave.) Definitive Site Plan, dated May 30, 2014.
- Exhibit E: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 0 Quinsigamond Avenue (AKA 42), dated May 29, 2014.
- Exhibit F: E-mails from Preethi Sreeraj, STV Incorporated to City of Worcester staff John Kelly, Kathleen Donovan and Stephen Rolle re: Determination of Parking Spaces, dated May 21, 2014.
- Exhibit G: Revised Site Plan – Sheet 2 of 3, C-105, dated May 2, 2014.

- Exhibit H: Overall First Floor Plan, A-101, dated May 1, 2014.
- Exhibit I: Second Floor Admin. & Operations Plan, A-121, dated May 1, 2014.
- Exhibit J: Definitive Site Plan Review Memorandum – STV Preliminary Responses To Comments, prepared by Neal DePasquale, received June 4, 2014.

PUBLIC HEARINGS

9. Zoning Ordinance Amendment - Adaptive Re-Use of Public or Nonprofit School Buildings (ZO-2014-002):

- The petition seeks to create a new Article IV Section 14 to allow the conversion of existing school buildings to multi-family dwelling use in Residential and Business districts upon the grant of a Special Permit. Additionally, the petition seeks to delete the first paragraph of Article II Section 7A and inserting a new paragraph granting Special Permit Granting Authority to the Planning Board.

Attorney Todd Rodman introduced Daniel Strowe, White Picket Fence, LLC, and stated that to allow the conversion of existing school buildings to multi-family dwelling use in Residential and Business districts upon the grant of a Special Permit. Mr. Rodman stated that his client's particular interest is in the former Salter School on Ararat Street, which has been vacant for some time. His client has no plans to physically enlarge the property, in this instance.

Mr. Rodman stated that they have met with the neighborhood and district city councilor and they have local support. They have also met with staff and have City support.

Mr. Rolle stated that DPRS has worked with Mr. Rodman in refining the proposal and staff supports it. This reuse is already permitted in some of the residential and business districts, this would just permit it to occur in all of them with a special permit. Staff believes that the proposal is consistent with city goals related to historic preservation and provision of quality housing stock of different types. Further, residential uses are likely to have fewer neighborhood impacts than would the originally institutional uses or comparable commercial re-use, and allowing these conversions only by Special Permit provides an additional level of oversight.

Heather Wendorf, 30 Watt Road, asked if approving this amendment means that they are able to convert these buildings without further approval. Mr. Truman stated that they would still be required to comply with all zoning requirements.

Mr. Freilich asked if this amendment allows these school buildings to be converted to rooming houses. Ms. Donovan stated that rooming houses will not be allowed in this instance even by special permit.

Mr. Ochoa asked that this only affected existing school buildings, not new construction. Mr. Rolle stated that it is only for existing school building built prior to 1950.

Upon a motion by Mr. Ochoa and seconded by Mr. Freilich, the Board voted 4-0 to recommend to City Council to approve the Zoning Ordinance Amendment for Adaptive Re-Use of Public or Nonprofit School Buildings.

List of Exhibits.

- Exhibit A: Proposed Ordinance Amendment (referred by City Council to Planning Board on April 29, 2014).

10. **Zoning Ordinance and Map Amendment – Commercial Corridors Overlay District (ZO-2014-001; ZM-2014-001):**

- The petition seeks to amend several articles within the ordinance to create a Commercial Corridors Overlay District, creative entrepreneur lofts, and eliminate Parking Overlay Districts, the Arts Overlay Districts and the Mixed Use Overlay Districts.

Mr. Rolle stated that at the April 30, 2014 Planning Board meeting a detailed presentation was made to the Board regarding the revised Zoning Ordinance and Map Amendment for the Commercial Corridors Overlay District. The revised proposal was well received and the recommendation was to withdraw the petition and substitute it with a new petition that incorporated all the requested changes.

Mr. Rolle also included one additional change since the last hearing. The petition included a waiver of parking for small restaurants and that has been removed. Otherwise the same proposal is before the Board now.

There were no additional comments from the public or the Board.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the Board voted 4-0 to recommend to City Council the adoption of the Commercial Corridors Overlay District Zoning Ordinance and Map Amendment as proposed.

List of Exhibits

Exhibit A: Proposed Revised Commercial Corridors Overlay District Ordinance and Map (referred by City Council to Planning Board on May 13, 2014).

OTHER BUSINESS

11. **Carriage House Lane Subdivision – Request to find developer in default**

Ms. Haralambous asked the Board to find the developer in default and give them 15 days to cure the violation and if the developer does not comply, the Board authorizes DPW&P to use the bond money.

Mr. Gervais stated that the developer has failed to complete the work within the work completion date, November 1, 2013, and there has been very little activity over the last year and DPW&P would like to move forward and complete the street before the end of the construction season.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the Board voted 4-0 to find Highland North Corporation, the developer of the Carriage house Lane subdivision, in default and authorize the law department to send the letter.

Exhibit A: Department of Public Works and Parks letter to Mr. Truman re: Carriage House Lane Subdivision, prepared by Joseph F. Borbone, dated May 21, 2014.

12. **City of Worcester Draft Open Space & Recreation Plan (2013-2020) – Request for Letter of Review**

Mr. Rolle stated that staff is looking for a letter of support or comments regarding the Open Space and Recreation Plan.

Upon a motion by Mr. Ochoa and seconded by Mr. Vigliotti, the Board voted 4-0 to provide a letter of support.

13. **Board's Signatures for the Registry of Deeds**

Ms. Tatasciore stated that the Planning Board member signatures needed to be updated with the Registry of Deeds once a year. Board member signatures for Registry of Deeds form were obtained.

14. **Approval of the Proposed Draft Meeting Schedule for 2015**

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the board voted 4-0 to approve the proposed 2015 meeting schedule.

15. **Approval Not Required (ANR) Plans:**

a. **342 Franklin Street (public) (AN-2014-020)**

Ms. Tatasciore stated that staff recommends endorsement. The applicant proposes to subdivide the parcel by creating Lot A, which is not a buildable lot, but it will be conveyed to the owner of 358 Franklin Street. Both 342 & 358 Franklin Street have sufficient frontage.

Upon a motion by Mr. Ochoa and seconded by Mr. Vigliotti, the Board voted 4-0 to endorse the ANR plan.

b. **38 Toronita Avenue (private) (AN-2014-022)**

Ms. Tatasciore stated that the applicant requested a postponement to July 16, 2014.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the Board voted 4-0 to postpone the ANR plan to July 16, 2014.

c. **50 Brigham/Carter Way (public) (AN-2014-023)**

Ms. Tatasciore stated that staff recommends endorsement. She stated that the applicant proposes to subdivide the parcel into two lots, which comply with dimensional requirements.

Upon a motion by Mr. Ochoa and seconded by Mr. Freilich, the Board voted 4-0 to endorse the ANR plan.

d. **99 Stafford Street (public) (AN-2014-024)**

Ms. Tatasciore stated that staff recommends endorsement. She stated that the applicant proposes to subdivide it and create an unbuildable lot. It is identified as such.

Upon a motion by Mr. Vigliotti and seconded by Mr. Freilich, the Board voted 4-0 to endorse the ANR plan.

e. 48 Sandra Drive (Parcels A-E) (public) (AN-2014-025)

Mr. Gervais stated that these properties are owned by DPW&P and those are informal right-of-ways and they will be properly conveyed to the property owners. The City will maintain an easement.

Upon a motion by Mr. Ochoa and seconded by Mr. Freilich, the Board voted 4-0 to endorse the ANR plan.

f. 351 May Street (public) (AN-2014-026)

Ms. Tatasciore stated that staff recommends endorsement. The applicant proposes to subdivide the existing lot into two lots, which are both compliant with zoning requirements.

Upon a motion by Mr. Ochoa and seconded by Mr. Freilich, the Board voted 4-0 to endorse the ANR plan.

16. Signing of Decisions from prior meetings

The Knapp Ave street conversion decision and the 200 Front Street Definitive Site Plan decision were signed.

ADJOURNMENT

Upon a motion by Mr. Vigliotti and seconded by Mr. Ochoa, the Board voted 4-0 to adjourn at 6:48 p.m.