

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

FEBRUARY 29, 2012

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Planning Board Members Present:

Anne O'Connor, Chair
Andrew Truman, Vice Chair
Stephen Rolle, Clerk
Satya Mitra, Member

Staff Present:

Joel Fontane, Division of Planning & Regulatory Services
Lara Bold, Division of Planning & Regulatory Services
Nancy Tran, Division of Planning & Regulatory Services
Kathleen Donovan, Department of Inspectional Services
K. Russell Adams, Department of Public Works & Parks
Jennifer Beaton, Law Department

BOARD SITE VISITS

REGULAR MEETING (5:30 PM)

CALL TO ORDER

Chair Anne O'Connor called the meeting to order at 5:35 p.m.

APPROVAL OF THE MINUTES

Upon a motion by Mr. Truman and seconded by Mr. Rolle the Board voted 4-0 to approve the minutes of February 8, 2012.

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

Public Hearing

1. 40 Walcott Street – Parking Plan Application (PB-2011-054)

Ms. Carr from HS&T Group, Inc., representative for the owner – Polar Beverages, stated that the parking plan had been revised addressing comments from the February 8, 2012 Planning Board meeting.

Mr. Adams confirmed that the updated plan addresses comments outlined in a DPW letter dated February 23, 2012. He stated DPW had no issues with approval of the plan.

Ms. Donovan from Inspectional Services had no comments.

Ms. Bold asked for clarification on the amount of proposed spaces and discussed site plan requirement regarding sedimentation and erosion controls. Ms. Carr replied stating there will be a total of 47 spaces (not 48), 11 of which will be compact sized. She added that hay bales and a silt fence will be in place on the north and west sides of the lot during construction.

Upon hearing Ms. Carr's response, Ms. Bold recommended approval with the condition that six (6) copies of final revised plans are submitted showing erosion and sedimentation devices as approved by the Conservation Commission.

Mr. Truman asked DPW whether silt sacks should be installed temporarily on the downstream catch basin. Mr. Adams replied that it should be present.

Upon a motion by Mr. Truman and seconded by Mr. Rolle, the Board voted 4-0 to approve the Parking Plan with the following conditions:

- Six copies of the revised plan must be submitted to the DPRS addressing the following:
 - Clarify in parking summary number of proposed spaces; and
 - Show proposed placement of erosion and sedimentation control devices.
- All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.
- The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Commissioner of Inspectional Services.
- All work shall be done in accordance with the final approved Parking Plan on file with the Division of Planning and Regulatory Services.

List of Exhibits.

Exhibit A: 40 Walcott Street Parking Plan Application; received December 22, 2011 prepared by Brian LaForte, Vice President.

Exhibit B: 40 Walcott Street Parking Plan; dated July 20, 2011, submitted December 22, 2011; prepared by HST Group, revised February 3, 2012 and February 17, 2012.

Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Worcester Planning Board; re: 40 Walcott Street dated January 23, 2012, revised February 6, 2012, February 17, 2012 and February 23, 2012.

- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Worcester Planning Board re: 40 Walcott Street, dated January 18, 2012.
- Exhibit E: Request for Postponement from Crystal Carr, representative HST for 40 Walcott Street to the Worcester Planning Board dated January 20, 2012.
- Exhibit F: Letter to the Planning Board from Lesley Wilson, Response Memo to Staff Review Memos and Drainage Calculations, dated February 3, 2012 and February 17, 2012.
- Exhibit G: Request for Postponement from Crystal Carr, representative HST for 40 Walcott, email to DPRS staff dated February 8, 2012.

2. 4-6 Westland Street – Definitive Frontage Subdivision (PB-2012-001)

Mr. Finkelstein, representative for owners Michael D. and Mary P. True and Maryellen Devlin, stated that the owners sought to subdivide the property and requested waivers for the following:

- (1) Minimum frontage requirements for each lot mandated by the Worcester Zoning ordinance;
- (2) Section IX of the Subdivision Regulations because no new street is being constructed; and waiver of Section X of the Subdivision Regulation because no improvements to the existing way is required.

Mr. Adams from DPW, Ms. Donovan from Inspectional Services and Ms. Beaton from the Law Department had no comments.

Ms. Bold discussed DPRS staff comments concerning the subdivision requirement to show natural features and vegetation. She stated DPRS was amenable to the waivers requested and recommended approval of the Definitive Frontage Subdivision plan.

Mr. Rolle asked for clarification whether the structure was originally built as a duplex. Mr. Finkelstein responded affirmatively, adding that a center wall separated the units, their utilities and entrances.

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

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve waivers of minimum frontage requirements as well as Section IX and X of the Subdivision Regulations.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve the Definitive Frontage Subdivision plan with standard conditions:

- All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.
- The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Commissioner of Inspectional Services.
- All work shall be done in accordance with the final approved Parking Plan on file with the Division of Planning and Regulatory Services.

List of Exhibits.

- Exhibit A: Definitive Frontage Application; received 1/24/2012; prepared by Michael D. and Mary P. True and Maryellen Devlin.
- Exhibit B: Definitive Frontage Plan; dated 1/18/2012; prepared by Robert D. O'Neil Jr.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Planning Board; re: 4-6 Westland Street; dated February 24, 2012.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Planning Board; re: 4-6 Westland Street; dated February 22, 2012.

3. 64-79 Beacon Street (aka 51-53 & 57-59 Jackson Street & 64-68 Beacon Street, 9 Beacon Street and 42 Jackson Street – Amendment to a Special Permit (PB-2012-002)

Items # 3, 4 & 5 were taken contemporaneously.

Mr. DeCola of Brady Sullivan Properties and Mr. Beaudry of Meridian Associates were in attendance to discuss the project overview, illustrate similar developer-completed projects and outline the relief sought before the Board. Mr. DeCola said the owner was seeking to amend the 2011 project approval by reinstating the October 24, 2004 approvals for the adaptive reuse of the existing vacant mill buildings into 181 residential units.

Mr. DeCola informed the Board in 2004, that it had approved the conversion of four buildings into 181 loft style apartments. In 2011, the Board approved some demolition, the conversion of remaining structures into 133 loft style apartments, construction of 27 new low-rise units as well as 32 new townhouse units. The 2012 applications before the Board do not propose demolition or new construction of buildings.

Mr. DeCola proceeded to show a PowerPoint presentation about the owner/developer, Brady Sullivan Properties. Slides illustrated the owner's completed projects and their construction quality (Exhibit I).

Mr. Beaudry stated that the owner's intent to was to retain and rehabilitate all buildings on the property. He then discussed that relief was sought for parking and dimensional yard setbacks through the Adaptive Reuse Overlay District Special Permit.

For parking, he highlighted the parking ratio between the 2004, 2011 and 2012 applications has been similar and are to be maintained at approximately 1.18 spaces per dwelling unit. He said 29 spaces will be available on Parcel 1, 38 on Parcel 2 and 136 on Parcel 3. He added that 213 of the required 276 off-street accessory spaces will be supplied; this amount will consist of 107 standard and 106 compact (49.8% where 25% is allowed by right) spaces. He added that 58 on-street public spaces would be available within walking distance to the accommodate residents.

Aside from parking space number and size, other requested relief included waivers from providing (1) one loading space; (2) 5' landscape buffer around parking; (3) a minimum 24' wide driveway throat for three areas (one off of Jackson Street and two off of Herman Street); and (4) required setbacks for existing buildings on Parcel 1. Mr. Beaudry stated that the proposed redevelopment reduces imperviousness by 15% and provides ~120SF of open space per unit. He also said a new turnaround location for fire emergencies had been designated and approved by the Fire Department.

Mr. Adams said the project meets DPW requirements with the reduction of impervious area and peak flow rate. He addressed DPW's February 22, 2012 letter regarding "Parking Area 4" parking aisle width and stated the Board could waive the 24' requirement through the Special Permit consideration. However, Mr. Beaudry responded saying 24' was achieved by converting standard into compact spaces.

Ms. Beaton from the Law Department had no comments.

Ms. Bold said that while the property does not meet MG-2.0 requirements, DPRS is amenable to dimensional relief for setbacks because the project will provide reuse of buildings and will not change or increase on-site nonconformities. She said the Adaptive Reuse Overlay District allows the Board to grant parking and dimensional relief and reuse of existing buildings on site. Because of this, DPRS recommended approval of the relief requested with the condition that the project is constructed in accordance with the final revised plan and incorporates Fire Department recommendations (Exhibit G) as conditions of the Special Permit.

Ms. Hart expressed her content with the preservation of historic buildings and dissatisfaction with the amount of parking. She recommended that parking not be in view of public ways. She also asked for clarification on the units to be provided as well as proposed property name. Mr. Beaudry said it will be a variety of unit sizes and will be named Junction Shop Lofts.

Mr. Rolle expressed his content with the plan to improve and maintain the entire structure. He stated his understanding of the present structure's restrictions and believed the waivers requested made sense.

Mr. Truman posed a question regarding the measures provided regarding quality for drainage. Mr. Beaudry replied that the property drained to a combined sewer system. He said traditional water quality measures such as deep sump catch basins are provided but stormwater treatment units are not because of budget constraints but may be considered later. Mr. Adams said DPW does not require Total Suspended Solid (TSS) removal and does not believe the sewer lines will be separated due to cost-ineffectiveness.

Mr. Mitra was in favor with the project plans. He said the relief and conditions are reasonable and he looked forward to changes to the property.

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

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve the Special Permit – Adaptive Reuse Overlay District; accept the applicant's Findings of Facts as modified by DPRS memorandum dated February 24, 2012; grant parking and dimensional relief as outlined in the application; condition approval that the project incorporate Fire Department comments; and require the following standard conditions:

- All work must conform to the standards contained in the City of Worcester, Department of Public Works & Parks, Engineering Division, Construction Management Section, STANDARD SPECIFICATIONS & DETAILS, most recent edition.
- The appropriate soil erosion and sediment control measures, including hay bales and silt fences, shall be installed and maintained throughout construction by the applicant to the satisfaction of the Commissioner of Inspectional Services.
- All work shall be done in accordance with the final approved Parking Plan on file with the Division of Planning and Regulatory Services.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve the Amendment to Definitive Plan – More than One Building on a Lot.

Upon a motion by Mr. Rolle and seconded by Mr. Mitra, the Board voted 4-0 to approve the Definitive Site Plan.

List of Exhibits.

- Exhibit A: 64-79 Beacon St; 42 Jackson St – Amendment to Special Permit Application; dated 1/25/2012; as amended 2/23/2012; prepared by Ron DeCola, Brady Sullivan Worcester Properties LLC.
- Exhibit B: 64-79 Beacon St; 42 Jackson St – Amendment to Definitive Site Plan Application; dated 1/25/2012; prepared by Ron DeCola, Brady Sullivan Worcester Properties LLC.
- Exhibit C: 64-79 Beacon St; 42 Jackson St – Amendment to More than One Building on a Lot Application; dated 1/25/2012; prepared by Ron DeCola, Brady Sullivan Worcester Properties LLC.
- Exhibit D: 64-79 Beacon St; 42 Jackson St; Amendment to Definitive Site Plan, More than One Building on a Lot, Special Permit Plan Set; dated January 30, 2012; revised February 22, 2012; prepared by Meridian Associates.
- Exhibit E: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Worcester Planning Board; re: 64-79 Beacon / 42 Jackson St Amendment to Special Permit, Definitive Site Plan, More than One Building on a Lot; dated February 24, 2012.
- Exhibit F: 3 Memoranda from the City of Worcester Department of Public Works & Parks to the Worcester Planning Board; re: 64-79 Beacon Street; dated February 22, 2012.
- Exhibit G: Memorandum from the City of Worcester Fire Department to the Planning Board re: 64-79 Beacon, 42 Jackson Street; dated February 23, 2012.
- Exhibit H: Massachusetts Historical Commission - Form A – MACRIS – Junction Shops / Beacon and Hermon St. Manufacturing Districts; prepared by Worcester Heritage Preservation Society; dated March 1979.
- Exhibit I: PowerPoint Presentation of Brady Sullivan Properties, LLC.

4. 64-79 Beacon Street (aka 51-53 & 57-59 Jackson Street & 64-68 Beacon Street, 79 Beacon Street and 42 Jackson Street – Amendment to Definitive Site Plan –More Than One Building on a Lot (PB-2012-003)

Items # 3, 4 & 5 were taken contemporaneously.

5. 64-79 Beacon Street (aka 51-53 & 57-59 Jackson Street & 64-68 Beacon Street, 79 Beacon Street and 42 Jackson Street – Amendment to a Definitive Site Plan (PB-2012-004)

Items # 3, 4 & 5 were taken contemporaneously.

6. 7-11 Bellevue Street – Parking Plan Approval (PB-2012-005)

Mr. Brassard of Brassard Design and Engineering and Steven Patten, Executive Director of Worcester Common Ground, were present for Worcester Common Ground’s request for Parking Plan Approval. He said the parking lot will be rehabilitated and reconstructed to meet zoning requirements. He described the property’s existing conditions and proposed changes which include a paved 18-space parking lot (including one handicap), a walkway in the property’s rear and installation of landscape buffers.

Mr. Brassard stated he had received DPRS comments regarding the plan and responded with a memorandum dated February 28, 2012 (Exhibit E). In it, he addressed the snow storage overlap with required 5' landscape buffer. He revised the plan to reduce the overlap but said it will still be within the buffer because of property size restrictions. He believed nearby landscaping will not be affected by snow storage. With respect to erosion control, he explained that the entire site drains to a drywell behind the property and is essentially a tributary to itself. He added more notes to the plan describing silt sacks for catch basins and existing dry wells. Mr. Brassard said he followed a DPRS suggestion to add wheel stops because of contiguous pavement from the lot to building.

Mr. Adams from DPW and Ms. Donovan from Inspectional Services had no comments.

Ms. Bold said DPRS recommended approval with the condition that six (6) copies of a final revised plan be submitted showing missing annotations but not requiring changes to snow storage.

Mr. Backus, owner of 19 & 23 Bellevue Street, questioned the reason for retaining the two existing trees on-site. He said every tree limb is broken and its roots were creating damage in the basements of his property. Mr. Brassard stated he did not notice major damage to the 24' diameter mature hardwoods and assumed the owner wanted to retain them. Ms. Bold said the owner may hire an arborist to determine the trees' viability. She added that while site plan standards look to retain mature vegetation where possible, it is up to the Board's purview to decide whether the plan meets the 5' landscape buffer requirement. She stated that if the arborist deems the trees severely damaged, the Board may require a replacement of two similar trees.

Mr. Truman asked for clarification regarding erosion control. Mr. Brassard said he will provide further construction detail of drain guards on the plan.

Mr. Rolle noticed a drop-off in the retaining wall height and asked whether it will have a rail on top. Mr. Brassard said a new railing will be provided to match the existing steel pipe and is noted on the drawing. He explained that the wall is elevated 1' above the pavement and will include the railing.

Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to approve the Parking Plan with the condition that revised plans be submitted addressing comments from DPRS' February 14, 2012 memorandum with the exception of snow storage and that the two maple trees be reviewed by an arborist to determine if they can be retained or should be removed. If removed, they should be replaced by 2 new Asian Beetle resistant trees.

List of Exhibits.

- Exhibit A: 7-11 Bellevue Street Parking Plan Application; received January 31, 2012 prepared by Matthew Brassard, Brassard Design & Engineering.
- Exhibit B: 7-11 Bellevue Street Parking Plan; dated January 27, 2012, submitted January 31, 2012; prepared by Brassard Design & Engineering.
- Exhibit C: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Worcester Planning Board; re: 7-11 Bellevue Street dated February 14, 2012.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Worcester Planning Board; re: 7-11 Bellevue Street; dated February 24, 2012.
- Exhibit E: Memorandum Response to DPRS from Matthew Brassard to the Worcester Planning Board; re: 7-11 Bellevue Street; dated February 28, 2012.

7. Zoning Ordinance Amendment: Amend Zoning Ordinance Article IV Section 7(A) (2) to increase the minimum size of parking lots that require parking plan approval from nine (9) to sixteen (16) spaces (ZO-2012-002).

Mr. Fontane informed the Board that three letters of support had been received by DRPS in favor of Zoning Ordinance Amendment petitions for Planning Board items # 7 and 8. These support letters were sent by John G. Giangregorio (Chair of Canal District Business Association), Elizabeth and S. Edward Proko (local business owners) and Arthur Mooradian (local business owner) (Exhibits C, D, E).

Mr. Fontane stated that DPRS recommended that the Planning Board recommend to the City Council to adopt the amendment because it is consistent with other small business (<5,000SF) exemptions such as those provided in the Energy Stretch Building Code recently recommended by the administration and adopted by the City Council. Since one parking space is required for every 300SF of business use this amendment would exempt business establishments with nearly 5,000SF. DPRS also recommended that the amendment be made to Article IV, Section 7(A)(2) the first sentence of the second paragraph by changing the "9" to "16".

Ms. Hart expressed opposition to the petition and concern for the historical homes abutting affected parking. She urged the Board to not recommend the petition.

Mr. Serrato, a local business owner, expressed his satisfaction with the petition. He believed it was good to expedite the approval process for potential businesses to utilize existing buildings.

Mr. Russell, District 3 Councilor, clarified to the Board that the petition seeks the same administrative review as lots with 4-8 spaces. He believed the public will still be well-served because the administrative review, its departmental assessment and staff recommendations are similar to a Board hearing. He added that the petition will trim red tape and make it easier for potential business to utilize city properties. He explained that the intent of the petition is to remove the need for a public meeting process for review of parking plans with 16 or less spaces to expedite the process and cost particularly for small businesses and easier to utilize existing properties.

Mr. Mitra asked how the petition came to choose the limit of 16 spaces. Mr. Russell it was chosen because it was substantial increase, yet fair number.

Chair O'Connor asked what will the review process will be for parking lots with 9-16 spaces. Mr. Fontane stated it is handled outside DPRS and only lots of 16 and more spaces will need to be reviewed by the Planning Board. Ms. Donovan added that lots of 9-16 will require an administrative zoning review by ISD and DPW for stormwater issues.

Mr. Fontane said the ordinance's threshold for parking plan approval was previously 16 spaces but was changed to 9 and the petition sought to revert to the original threshold. He further stated this is consistent with other sections of the ordinance that refer to parking plans with 16 spaces such as the interior landscaping section.

Mr. Rolle asked how parking plans under the threshold triggering Planning Board evaluation are currently reviewed by Inspectional Services and DPW. Mr. Adams said DPW currently examines plans of 4-8 space parking lots, performs a site visit and stamp approves lots for Inspectional Services for a code-related review. He explained that lots with 4-15 spaces go before the License Commission, whereas lots with 2-3 spaces do not.

Mr. Mitra asked what the timeframe was for administrative review. Mr. Adams said if there is no glaring issue, DPW can review the plan within a day or as time permits. Review is then performed by Inspectional Services and the License Commission. Mr. Adams stated the petition will streamline the approval process because it will not require businesses to hire an engineer for review and plan creation.

Ms. Hart stated concern that neighbors will not be notified of parking lot changes. She expressed her discouragement with the petition recommendation.

Mr. Rolle expressed his concern regarding design aspects. He said small lots can still be designed in a poor way and have impacts on abutters and was concerned that there would be no abutter notification.

Chair O'Connor asked if parking will be limited by the Zoning Ordinance. Ms. Donovan said such lots will more likely be located in businesses zones than residential. Mr. Fontane clarified that accessory residential parking is by-right; non-residential parking facilities in a general residential zone (RG) will require a Special Permit; and pay lots will require Zoning Board approval for use.

Mr. Russell said lots of 15 spaces or less will still be reviewed by Inspectional Services, DPW and DPRS to ensure landscaping compliance and consideration of neighborhood impact. Mr. Fontane concurred and added that the lot must meet design standards such as landscape buffers, with some exemptions for 1-3 unit residential dwellings.

Mr. Rolle asked if DPRS reviews parking plans that are not heard by the Planning Board. Mr. Fontane responded currently DPRS does not. Mr. Rolle said he would be comfortable if all departments, Inspectional Services, DPW and DPRS administratively review plans.

Mr. Mitra expressed his satisfaction with the petition and believes it will make it easier for businesses to locate in the city. He believes too much regulation can hinder but an administrative review is reasonable.

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

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to recommend the petition to City Council for the following reasons:

List of Exhibits.

- Exhibit A: Zoning Ordinance Amendment Petition – cc2012jan06092627 from Mayor Joseph M. Petty and Councilor George J. Russell.
- Exhibit B: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Worcester Planning Board; re: Petitions to Amend the Requirements for Parking Plan Approval: dated February 28, 2012.
- Exhibit C: Support letter from John G. Giangregorio to Worcester Planning Board; received February 29, 2012.
- Exhibit D: Support letter from Elizabeth and S. Edward Proko to Worcester Planning Board; received February 29, 2012.
- Exhibit E: Support letter from Arthur Mooradian to DRPS; received February 29, 2012.

8. Zoning Ordinance Amendment: Amend the Zoning Ordinance to exempt from Parking Plan Approval review any existing parking lots that upon a change, alteration or expansion of the use it serves will continue to be utilized in its existing condition with no physical alterations except for changes in circulation and/or striping, and provided the number of parking spaces satisfies the requirements of Article IV, Section 7, Table 4.4 – Off-Street Accessory Parking Requirements (ZO-2012-003).

Mr. Fontane stated that DPRS recommended that the Planning Board recommend to the City Council an amendment to Article IV, Section 7(A)(1) Application, to create a sixth paragraph as follows: “All existing parking lots are exempt from Parking Plan Approval provided that upon a change, alteration or expansion of the use it serves will continue to be utilized in its existing condition with no physical alterations except for changes in circulation and/or striping, and provided the number of parking spaces satisfies the requirements of Table 4.4.” The proposed amendment would ease changes of use for properties with unlicensed parking lots.

Mr. Fontane said the petition will create a baseline record of parking lots. The ordinance change will affect unlicensed, legally existing lots by requiring administrative review of parking plans and License Commission approval. Existing parking lots with no proposed physical changes beyond striping and circulation will not be required to come before the Planning Board and change of building use will not trigger parking plan approval. He said that an additional DRPS recommendation may be added to the ordinance to require review by Inspection Services regarding existing and proposed lots. This will require permit administration by the building department to avoid paving that may create stormwater, aesthetic and quality of life implications.

Ms. Hart stated her objection to the petition and stressed the importance of notifying abutters to affected parking lots. She suggested that abutters be notified to allow homeowners to address their issues if necessary.

Mr. Russell said the petition affects existing unlicensed parking lots and allows businesses to use the property as long as the parking lot is not changed. He said the issue is about the ability to use the lot.

Mr. Mitra asked what current regulation is in place to address change of use and related parking. Mr. Fontane said currently changed use would trigger a full parking review but that the proposed amendment would allow for only an administrative review when a change use occurred but there were no changes to parking lot except striping and circulation changes.

Chair O’Connor asked what would be required if there were a physical expansion. Mr. Fontane said it would require a separate petition.

Mr. Rolle asked how physical changes are defined and whether there is a threshold in terms of channelization and striping. Mr. Fontane said that physical changes include new pavement, rebuilt parking or expanded parking area regardless of the spaces in the lot. If no physical changes occur, only an administrative review check and permit from the License Commission will be required.

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

Upon a motion by Mr. Truman and seconded by Mr. Mitra, the Board voted 4-0 to recommend the petition to City Council and add a notice of a proposed future amendment to address physical lot changes through administrative review by Inspectional Services.

List of Exhibits.

- Exhibit A: Zoning Ordinance Amendment Petition - cc2012jan06092722 from Mayor Joseph M. Petty and Councilor George J. Russell.
- Exhibit B: Memorandum from the City of Worcester Division of Planning & Regulatory Services to the Worcester Planning Board; re: Petitions to Amend the Requirements for Parking Plan Approval: dated February 28, 2012.
- Exhibit C: Support letter from John G. Giangregorio to Worcester Planning Board; received February 29, 2012.
- Exhibit D: Support letter from Elizabeth and S. Edward Proko to Worcester Planning Board; received February 29, 2012.
- Exhibit E: Support letter from Arthur Mooradian to DRPS; received February 29, 2012.

Other Business

9. Arboretum Phase III- Honeysuckle Road – Request Bond Reduction

Mr. Adams said the developer for Arboretum Subdivision had requested bond reductions for the following:

- Arboretum Subdivision II – Phase I: release of a \$22,000 bond to \$0
- Arboretum Subdivision II – Phase II: release of a \$22,000 bond to \$0
- Arboretum Subdivision III – Pearl Bush Path: release of a \$20,500 bond to \$0
- Arboretum Subdivision III – Lilac Lane: release of a \$36,500 bond to \$0
- Arboretum Subdivision III – Honeysuckle Road: reduction of \$450,000 bond to \$200,000

Mr. Adams said the work has been completed to DPW satisfaction.

Ms. Beaton from the Law Department asked if the requests for bond reduction to \$0 were for final releases. Mr. Adams confirmed that all were final releases with the exception of Honeysuckle Road.

Upon a motion by Mr. Truman and seconded by Chair O'Connor, the Board voted 4-0 to authorize final release of the \$22,000 bond for Arboretum Subdivision II – Phase I.

Upon a motion by Mr. Truman and seconded by Chair O'Connor, the Board voted 4-0 to authorize final release of the \$22,000 bond for Arboretum Subdivision II – Phase II.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to authorize final release of the \$36,500 bond for Pearl Bush Path.

Upon a motion by Mr. Rolle and seconded by Mr. Truman, the Board voted 4-0 to authorize final release of the \$36,500 bond for Lilac Lane.

Upon a motion by Mr. Mitra and seconded by Chair O'Connor, the Board voted 4-0 to authorize reduction of the \$450,000 secure bond to \$200,000.

10. Citizen Planners Training Collaborative – Spring 2012 conference Update

Ms. Bold discussed the March 17, 2012 training conference to be held at Holy Cross. She said to contact her by the following week if they are interested in attending.

11. Signing Decisions/Plans

a. 89-91 Malden Street – Frontage Subdivision (PB-2012-071)

Ms. Bold said the 89-91 Malden Street – Frontage Subdivision (PB-2012-071) was not brought to the meeting.

b. ANR plans

Quaboag St. Subdivision – Plan Signing (PB-2009-082)

Ms. Bold said the Quaboag subdivision Mylar plan was folded and needed to be resigned for filing with the Registry of Deeds. The Board signed and dated it for February 29, 2012.

ADJOURNMENT: Upon a motion by Mr. Rolle and seconded by Mr. Truman the Board voted 4-0 to adjourn the meeting at 7:38 p.m.