



**Worcester  
Municipal  
Research  
Bureau**

AN INDEPENDENT VOICE FOR RESPONSIBLE GOVERNMENT

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# **REVISITING WORCESTER'S ZONING ORDINANCE**

Report No. 98-6  
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## EXECUTIVE SUMMARY

While the national economy has been booming, Worcester has not attracted much private development. Worcester's annual new construction has been down since 1994, and the office vacancy rate remains high, while other communities have filled their office space. Unless Worcester can do a better job of attracting private development, it will have to continue to raise its tax rate and decrease its current level of services. The municipal budget is tight this year in a good economy. If the economy turns down and property values decrease as they did in the last recession, Worcester may be headed for financial difficulties. To address the lack of private development in Worcester, the Research Bureau has issued a series of reports on competing for economic development, brownfields development, and distressed properties. This report addresses another tool for attracting development, the zoning ordinance. A properly drawn and efficiently administered ordinance can attract private development and shape the look of the city so as to improve the quality of life. This report makes recommendations to improve the process of obtaining a building permit and to reform the zoning ordinance itself.

To improve the application of the zoning ordinance, the Research Bureau makes several recommendations:

- The City's Development Office should institute a pre-planning process, whereby a developer could submit plans for review to the many departments that are part of the zoning approval process. The City would allow voluntary submission of plans and would issue an opinion in a timely fashion as to whether the plans are in accordance with the zoning ordinance. This opinion would be presented to the Planning Board or Zoning Board of Appeals (ZBA), which would render a final decision.
- The City's Development Office should coordinate all of the approvals and applications in a "one-stop shopping" system. Currently, approval for building permit, alcohol licenses, vending permits, etc., are located in different city agencies. Not only should the approvals be coordinated, but the application forms should be simplified and redundant paperwork should be eliminated. The Chief Development Officer should also consider appointing a staff member to assist builders, and to establish a hotline for zoning questions that is open after business hours.
- The City Manager should dedicate more staff to the zoning process. In order to accomplish these additional tasks and to speed the development process, the City should hire additional planning and support staff.
- The Office of Planning and Community Development (OPCD) should use paid professional staff to review the more technical aspects of approval such as the site plan approval process. While the final decisions would remain with the appropriate boards, use of professional staff would allow the volunteer boards to focus on the broader approval process rather than the technical details.
- OPCD should improve its handling of files. The City should establish a file for each property that comes before a board. Ideally, this information would be computerized and coordinated with the GIS (Geographic Information System) and

information from the Assessor's Office and other City departments.

- The Planning Board and Zoning Board of Appeals should consider moving away from its current system of requiring all speakers at board meetings to sign in as "for" or "against" a project. Other communities do not have such a system, which encourages an adversarial relation among the speakers. Worcester should experiment with a single sign-in sheet for speakers.

The Research Bureau also recommends the following changes to the zoning ordinance itself:

- The Planning Board and ZBA, in conjunction with OPCD, should develop a regular process for making technical corrections to the zoning ordinance.
- The City Council should amend the zoning ordinance to allow use variances. These variances were abolished in the last major revision of the zoning ordinance. Use variances are permitted by most other communities. Without them, certain developments cannot proceed without a change in the zoning map or ordinance.
- The City's Development Office should revise the confusing sign requirements and propose these changes to the City Council. The requirements for the signs in the ordinance and the sign tables give conflicting information as to the size and type of signs that are permitted.
- The City Council should change the zoning ordinance so as to encourage restaurants in BL 1.0 zones without encouraging bars. Currently, these zones, which contain many of the City's restaurants, do not allow restaurants serving alcohol unless a special permit is granted by the ZBA. The ordinance should be changed to allow restaurants to serve alcohol at tables and at a small waiting bar without a special permit, while retaining the special permit status for establishments with larger bars.
- The City Council should experiment with industrial-only zones, where commercial development is not allowed. The City Council should create one or two of these zones on a trial basis, and evaluate their success after five years.
- The City's Development Office should devise a proposal to change the zoning provisions for assisted living facilities. The existing provisions should be revised to reflect changes in industry building practices so as to encourage the building of these facilities. OPCD should present this proposal to the City Council.
- The City's Development Office should review the City's mixed-use zoning provision. As this provision is not being used by developers, OPCD should study options such as adding more incentives or better advertising of the provisions. If it is determined that these options are not effective, the provision should be eliminated in order to simplify the code. After review, the Development Office should make recommendations for amendment or elimination of the mixed-use zones to the City Council.
- The City Council should ease the zoning ordinance setback requirements for

colleges and universities. These requirements restrict the growth of one of Worcester's most important assets, and they may be subject to court challenge under the "Dover Amendment" of Massachusetts law.

- The City's Development Office should study the effect of the new zoning requirements for landscaping in parking lots. Two small changes to the ordinance should be recommended immediately: exempting downtown lots of less than twenty spaces and giving greater leeway with respect to the type of trees required. These changes should be made to address concerns that the ordinance is overly restrictive.

## **INTRODUCTION**

The Massachusetts economy is booming, but private development in Worcester is not. New construction has not increased significantly in Worcester despite the vibrant economy. New office space has not been built, nor have office vacancy rates declined. These figures stand in sharp contrast with Boston and its suburbs, which are adding new construction, and which have declining office vacancy rates. If Worcester cannot attract private development in good times, it may be headed for severe financial problems if the economy turns downward. Over the past several years, Worcester has raised its property tax rate for residential and commercial property in order to meet its spending priorities. If property values go down significantly in the next recession, as they did in the last, the City will not be able to maintain current services. Worcester must find ways to attract private development.

In order to address this problem, the Research Bureau has published a number of reports over the last several years that recommend different ways that Worcester can improve its development climate: *Competing for Economic Development: What Can Worcester Do?* (95-1), *Distressed Property in Worcester: The Problems and the Options* (97-2), and *Facilitating the Cleanup and Development of Worcester's Brownfields* (97-6). This report examines the zoning ordinance and the process for approval of new construction.

The importance of a city's zoning ordinance and its implementation cannot be overstated. Zoning rules define a community's vision for future development. A rationally drawn ordinance with efficient and predictable execution can attract development to a city and regulate that development so as to greatly improve the quality of life. Worcester's Zoning Ordinance underwent a major revision in 1991, and several smaller amendments have been adopted since then. This report examines aspects of the zoning ordinance and its application, and makes recommendations for the future.

### **I. THE LACK OF PRIVATE DEVELOPMENT IN WORCESTER**

The U.S. economy has displayed great strength over the past four years. Unfortunately, while the national and state economies have been strong, private development in Worcester has not surged. As Table A on the following page indicates, Worcester's annual new construction value peaked in 1990 at \$215 million, and has declined significantly since then to \$77.2 million in 1997.

Another indication of the lack of private development in Worcester is that little downtown office space has been added in the past four years, and the vacancy rate has remained high hovering around 20%. (See Table B on page 6.) This stands in sharp contrast to other

Massachusetts communities. Boston and communities in suburban Boston have shown a steady decline in their office vacancy rates.<sup>1</sup> The Route 495 Corridor now has a vacancy rate of about 5%.

The zoning ordinance and its application constitute only one part of the development process. It is important, however, that Worcester improve the zoning process and reconfigure its zoning ordinance to attract more and better development.

The Research Bureau's recommendations fall into two categories: changes to the application of the ordinance and changes to the ordinance itself.

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<sup>1</sup> Although the number of building permits issued each year has increased since 1993, most of these permits are for renovation not new construction.



## **II. APPLICATION OF THE ZONING ORDINANCE**

The Research Bureau makes several recommendations to improve the zoning approval process:

### **A. Pre-Planning Process**

Worcester should improve the pre-planning process so that smaller developments can be reviewed and refined before they come before the Planning Board and Zoning Board of Appeals. The goal of this recommendation is to identify problems in potential developments before they enter the official zoning process. Early review of development plans by City experts can smooth the process and allow developers to complete projects more quickly and with fewer bureaucratic obstacles.

Worcester has made two significant improvements to streamline the development process, the development cabinet and the reorganization plan. These two innovations have made it easier for large developers to negotiate the many stages of the development process. But Worcester should strive to further streamline the development process for all projects, especially smaller ones.

The Development Cabinet was founded for the purpose of enabling a developer to come before a group of important municipal and business officials in order to facilitate the development process. The cabinet is chaired by the Chief Development Officer and consists of representatives from the Department of Public Health and Code Enforcement, Department of Public Works (DPW), Office of Planning and Community Development, the Worcester Redevelopment Authority, Traffic Engineering, Worcester Business Development Corporation, Worcester Marketing Director, and the Massachusetts Office of Business Development.

By meeting with this group, a potential developer can become familiar with the City's development process, the appropriate private and public officials in the City, and the potential difficulties a particular project may face. For example, a developer might be alerted to potential traffic issues at an early stage of a project by his contacts with the Traffic Engineer and DPW commissioner.

Worcester's reorganization plan, recently adopted by the City Council, aims to centralize all of the City's development institutions under the Chief Development Officer. The purpose of the plan is to provide a coordinated effort to attract development to the City and to help projects move forward without unnecessary bureaucratic obstacles. The plan also reduces the likelihood of inter-agency turf battles by putting all of the agencies under one head.

To extend the benefits of a streamlined development process to a greater number of projects, the Research Bureau makes three recommendations:

1. The Development Office should agree to review plans in a prompt and efficient manner before they are presented to one of the boards responsible for the zoning ordinance.
2. The Development Office should coordinate the review of these plans by

OPCD, traffic engineering, and code enforcement officials, and the City's legal department.

3. Upon pre-planning review of submitted plans, Code Enforcement should issue an opinion as to whether the plans are in compliance with the City zoning ordinance or whether it recommends certain changes to bring the plans into compliance.

The Development Office should encourage the submission of plans in advance. It should guarantee that the plans will be thoroughly reviewed by OPCD staff and the relevant experts from Traffic Engineering, Code Enforcement, and the Law Department. The developer should be allowed to revise his plans based on suggestions from the various departments. Finally, and most importantly, Code Enforcement should issue an official opinion in writing as to whether the project meets the zoning ordinance standards.<sup>2</sup> This opinion would not be legally binding as the final decision for approval would remain with the appropriate boards. Although the boards would not be obliged to accept the opinion, they would at least know that the plans had been subject to careful review, and they might be alerted to issues that might not have come up at a board meeting. Finally, there is another advantage to an efficient pre-planning process. When matters are submitted to a board, state law requires that decisions be made within a defined time limit (60-90 days depending on the filing). The pre-approval process would give the parties involved an opportunity to sort out problems before the official approval process begins.

## **B. One-Stop Permitting**

In addition to an early review of development plans, the Development Office should move toward a one-stop permitting system. The number of applications, board appearances, and departmental reviews for a project can be daunting, especially for a small project. The City should follow the model of other municipalities and institute a one-stop permitting system. Toward this end, the City should:

1. Conduct a review of all forms required to be filled out by a potential developer. The goal should be to reduce the number of forms filled out, eliminate duplication, and simplify forms so they can be filled out by someone not intimately familiar with Worcester's zoning process.
2. Include as part of the pre-planning process a scheduling process that schedules the required board meetings promptly and in a reasonable order.
3. Have the Development Office assign a staff person to each project to assist in obtaining the necessary approvals, filling out required forms, and publicizing the relevant meetings.
4. Centralize application for various permits such as building permits, alcohol licenses, vending licenses, etc. These permits are now issued by a wide variety of departments.

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<sup>2</sup>The Department of Public Health and Code Enforcement is the official legal interpreter of the zoning ordinance. It could issue such an opinion. Or the City Council could choose to transfer this authority to OPCD. The important point is not who issues the opinion, but that there should be coordination among the various departments and that there should be an opinion issued in writing.



5. Establish a hotline to answer questions related to the zoning and permit approval process. The hotline should be staffed during evenings and Saturdays in addition to business hours.

### **C. Additional technical and administrative staff**

Currently, the Planning Board, Zoning Board of Appeals, Conservation Commission, and Historical Preservation Commission have one senior staff person assigned to them. The board members are appointed by the City Manager, and they display great public spiritedness in giving a significant amount of time to the board. But their positions are volunteer, unpaid positions, and they cannot be expected to have planning expertise or to work full-time in these positions. The City should support these dedicated board members by providing them with more professional staff support. Board members would benefit from the full-time assistance of planners, architects, and engineers. In addition, there is a significant amount of paperwork required by state law, and additional administrative staff could speed the process for potential development. Finally, the need for more staff will be even greater if the City adopts the pre-approval process recommended by the Research Bureau. Even though the City is facing serious budget constraints, scarce resources should be allocated to smooth the development process in order to attract more development, which generates tax revenue.

### **D. Non-essential functions**

In order to allow board members to better perform their core duties, functions not required of the board should be transferred to other institutions. For example, Worcester's Site Plan Approval process is not required by state law. This approval

process is meant to ensure that the proper planning takes place for larger development projects. Much of the site plan approval process could be accomplished by professional staff at OPCD. It could follow the open meeting requirements of the ordinance and perform a detailed review as a part of the pre-planning process. While the final decision would rest with the boards, many of the details could be handled more effectively within OPCD. The Town of Holden has a site plan approval process that is similar to Worcester's, but much of it is performed by professional planning staff.

### **E. Record Keeping**

Many cities, including Boston, keep a file on each property. The file contains all previous determinations about the property. For example, one of the boards may make the determination that a particular property has had a preexisting nonconforming use as a doctor's office. If this determination were placed in a file on the property, the same determination would not have to be made again at a later date if the property were to come before the board again. It would be a large undertaking to create a file for every property in the City all at once, but the City should develop a file for each property that comes before one of the zoning boards. Perhaps this information could also be computerized in conjunction with the GIS system. The Research Bureau has recommended upgrading this system in the past with respect to brownfields and distressed property information.<sup>3</sup>

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<sup>3</sup>*Distressed Property in Worcester: The Problems and the Options* (97-2); *Facilitating the Cleanup and Development of Worcester's Brownfields* (97-6).

In addition, archival files are not as accessible as they should be. Old property files are not kept by the City Clerk. Currently, they are located in the archive in the basement of the Worcester Memorial Auditorium, and they are hard to access. As the auditorium is being renovated to accommodate the new juvenile courthouse, this is the time to transfer these records to the City Clerk's office.

#### **F. Single Sign-in Sheet**

The Planning Board and ZBA are required by law to hold public meetings and to hear comments from attendees. But Worcester, unlike some other municipalities, requires those who wish to speak to declare themselves for or against the project before the board. This procedure makes the meetings unnecessarily adversarial. The boards should experiment with keeping a single sign-in sheet, and allowing free debate without characterizing the positions of the speakers in advance.

### **III. ZONING ORDINANCE CHANGES**

In this section, the Research Bureau recommends the following substantive changes to the ordinance:

#### **A. There should be a regular process for making technical changes to the zoning ordinance.**

All changes to the zoning ordinance must be approved by the City Council. Technical changes to the ordinance are sometimes brought before the Council, but these changes are recommended on an *ad hoc* basis. The Research Bureau recommends that the City establish a more regular process for these technical corrections. As the Planning Board, Zoning Board of Appeals, and OPCD staff assigned to the boards are most familiar with the ordinance and its technical difficulties, the boards should dedicate part of one meeting every three months to discussing potential technical corrections. A representative of the boards (possibly the board chairperson or OPCD staff) should then present an omnibus technical corrections amendment to the Council for approval.

#### **B. The City Manager should convene a group to consider allowing use variances.**

Worcester's current zoning ordinance allows for dimensional variances (e.g. variances in the size of buildings, setback requirements, floor area ratio, etc.), but not use variances (e.g. allowing a supermarket in an area zoned for an industrial park). In drawing up the last major revision of the ordinance in 1991, the authors assumed that use variances would continue to be allowed as they had been before 1991. At the last minute, however, use variances were abolished. The ordinance, without use variances, does not allow flexibility for exceptional cases. Most other Massachusetts communities allow these variances.

Worcester should reconsider allowing use variances. These variances are exceptions that would have to be approved by the Zoning Board of Appeals. These variances would also be subject to court challenge. If Worcester does not reinstate use variances, it should significantly broaden the current uses allowed in each zone. Without these changes, development for new uses or uses that do not fit very specific definitions might be impossible.

**C. OPCD should recommend revisions to the section of the ordinance related to signs.**

The zoning requirements with respect to signs are perhaps the most confusing in the ordinance. In particular, the table used to determine sign size in various zoning districts does not always agree with the ordinance itself. OPCD, in conjunction with the Planning Board, ZBA, and Code Enforcement, should revise these regulations to make them clear and consistent, and propose such revisions to the City Council.

**D. BL 1 zones should allow limited liquor licenses in order to accommodate restaurants.**

One of the zoning designations, Business Limited 1.0 (BL 1.0), is a common zoning designation along major roads that go through residential areas. Examples of areas zoned BL 1.0 are Highland Street between Linden and Schussler; Chandler Street between Fisk and Coolidge; Park Avenue between Highland and Institute; Main Street between May and Lowell Streets; Main Street between Curtis Parkway and Ludlow Streets; and Lincoln Street between I-190 and Norton Street. The purpose of this zoning designation is to encourage small businesses and restaurants along major thoroughfares. While some of the City's best restaurants are located in these areas, the BL 1.0 zone is not conducive to attracting new restaurants, as it makes it difficult for a new restaurant to obtain a liquor license. The zoning ordinance requires a special permit for serving alcoholic beverages. In other business general zones (BG 2, 4, 6), this use is allowed by right. In practice, this has meant that new restaurants locating in these areas are often delayed in getting liquor licenses by established restaurants in the area that have already obtained the right to sell alcohol.

The reason for requiring such a permit is that these zones are often located on major thoroughfares going through residential neighborhoods. Neighborhoods are concerned about bars in their midst. This concern, however, could be addressed by allowing by right the sale of alcohol in restaurants that have no more than a waiting bar (6 seats or less). This simple change would enhance the already flourishing restaurant areas without encouraging bars near residential areas.

**E. The City Council should establish an "Industrial Only Zone" on a trial basis.**

There is a debate in the City over preserving industrial land. Some argue that the City should set aside manufacturing land for only industrial purposes, and no commercial development should be allowed in those areas even by a special permit. According to this argument, Worcester has an industrial history, and manufacturing jobs generally pay better than service jobs. Others are concerned that if Worcester limits commercial development on industrial land then that land may lie abandoned for many years awaiting an industrial business, thereby contributing to urban blight and lessening tax revenues. They urge that we retain the option of commercial development by special permit in industrial areas. The Research Bureau believes that Worcester should balance the need for industrial development with the recognition that it is sometimes better to attract commercial development rather than allow a property to remain abandoned in hopes of a future industrial use.

In order to further this end, the Bureau recommends that the City adopt a pilot program. The City should establish a new kind of manufacturing zone which would not allow commercial development even by special permit. Such a zone should encompass existing industrial areas that have active manufacturing businesses, not areas that have been largely abandoned. The new designation should last for only five years. At the end of the five years, the City should evaluate the success of the zone in attracting manufacturing businesses. If the zone is judged to have been successful in attracting these businesses, then the zones should be renewed or expanded. If the zone does not have the desired effect, it should be allowed to lapse.

**F. The City Council should restructure the Continuing Care Retirement Community zoning rules.**

The section of the zoning ordinance that encourages the building of continuing care facilities (now often referred to as “assisted living” facilities) was drafted in order to serve an important need. As Worcester’s population ages, the City will need housing for seniors. Accordingly, the ordinance was drawn up “to allow flexibility in the development of parcels for housing and related services of retired and aging persons, with particular interest in meeting the needs of residents of Worcester” (Article X, section 1). The ordinance was intended to allow the construction of these multi-unit facilities in residential areas that might not otherwise allow multi-unit housing.

This ordinance, however, was adopted when assisted living facilities were a relatively new concept. The relevant section of the ordinance was drawn up with the assumption that these facilities would be built in a campus style with many buildings spread around a common area. Since then, it has become clear that the dominant industry practice is to construct assisted living facilities in a single building. Therefore, the land requirements specified in the ordinance may not be reasonable for this type of development. For example, the ordinance requires that the facilities be built on a parcel 3 acres or greater and that the maximum units allowed be determined by a formula whereby the maximum units =  $2 \times [(Parcel\ Size \times .8) / Minimum\ Lot\ Size\ Permitted\ in\ Zoning\ District\ of\ Parcel]$ . The typical assisted living facility contains 80 units. With the existing formula, a continuing care facility locating in a Residential 10 (RS 10) district would require 11.5 acres of land in a RS 7 or RL 7, 8 acres of land, and in a RG 5, 5.7 acres of land. Given that Worcester has very few large plots in residential areas, these requirements are unrealistic. In addition, the regulations require a large open-space requirement. Both the open-space requirement and the lot size restrictions should be revised to reflect the reality of how assisted living complexes are constructed.

**G. The Chief Development Office should review the provision for Mixed Use Overlay Zones.**

The 1991 revision of the zoning ordinance introduced the concept of a mixed use overlay zone. The purpose of these zones was to encourage developments with several uses, e.g., an apartment building with retail stores at the ground level and commercial offices. It was thought that this sort of mixed-use development improved the quality of life by bringing people closer to retail and commercial development and making them less reliant on automobiles. To encourage such development, the ordinance provides for density bonuses above what would be allowed in an underlying zone.

In practice, this mixed use overlay zone has not been used. Developers may already incorporate several uses in a project under existing rules by obtaining variances or by special permits, and the density bonuses are not a significant incentive. The mixed use overlay zone should be revised so that it is more flexible, provides greater incentives, and is properly advertised to attract this type of development. If, however, these measures are insufficient to attract mixed use development, the City should eliminate the provision from the zoning ordinance so as to keep the ordinance as clear and concise as possible.

#### **H. The Chief Development Office should review the restrictions on Institutional Zones.**

The zoning ordinance creates institutional zones for universities to prevent college campuses and hospitals from encroaching on the surrounding neighborhoods. The City has imposed significant limitations on building within the university institutional zones, but not within the hospital institutional zones.

The ordinance sought to limit the geographic spread of colleges and universities by encouraging the schools to build larger buildings in the center of their campuses, rather than expand into the neighborhoods around them. In 1991, the ordinance established institutional zones which encompassed the extent of the existing college campuses. These institutional zones were subject to restrictive setback requirements. No buildings could be constructed within a 50 foot perimeter zone. In addition, any buildings constructed within a 51 to 100 foot perimeter zone were limited by the height requirements of the adjoining district. For example, if an institutional zone is bordered by a RS 10 district, then the college could not build any building taller than two stories within 100 feet of that district. The effect of this ordinance is to limit the future growth of colleges and universities. Its impact is greatest on the smallest campuses. Clark University, for example, sits in an institutional zone that is approximately 1200 feet by 1200 feet. With the setback requirements, the area in which the college is allowed to build standard academic buildings cannot accommodate many buildings. These restrictions could limit the growth of one of Worcester's most important assets, its colleges.

In addition to the threat of stunting the growth of Worcester's colleges, there is an additional reason that the City should rethink its institutional zones. These zones may be illegal under state law and could be subject to court challenge. A provision of state law prohibits municipalities from regulating the height and density of buildings belonging to non-profit colleges and hospitals. The so-called "Dover amendment" (MGL Chapter 40A, Section 3) states that "No zoning ordinance or by-law shall regulate or restrict the interior area of a single family residential building nor shall any such ordinance or by-law prohibit, regulate or restrict the use of land or structures for religious purposes or for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a non-profit educational corporation; provided, however, that such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements." The intent of the law was to protect non-profit educational institutions from unreasonable zoning regulations. Courts have interpreted this amendment quite broadly. For example, one case held that a municipality was unduly restricting a school by subjecting it to the same dimensional requirements that would apply in a single-family residential zone. Worcester's zoning ordinance has the same effect, as it limits the height of institutional buildings based on the

neighboring district.<sup>4</sup>

In order to nurture its colleges and universities and in order to avoid possible future court challenges, the Research Bureau recommends that the City ease its setback requirements and provide a process for redrawing institutional zones if a college owns a substantial amount of land outside of its existing zone.

**I. The City Council should amend the requirements for parking lot landscaping.**

A recent parking landscaping amendment to the zoning ordinance requires trees in the interior of parking lots. For every ten spaces, there must be one tree. OPCD should study the effects of such an ordinance to determine how many parking spots are eliminated by the provision. While the study should determine whether the ordinance works effectively, the City Council should ease certain restrictions immediately. First, it should exempt downtown lots of 20 spaces or less. Second, the ordinance should allow the owners greater leeway on the type and size of tree planted. The current regulations are overly restrictive.

<p><b>Mission Statement:</b> The Worcester Municipal Research Bureau is a private, non-profit organization dedicated to conducting independent, non-partisan research on financial, administrative, management and community issues facing Worcester's municipal government and the surrounding region.</p>
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<sup>4</sup>*Newbury Junior College vs. Town of Brookline & others*, 19 Mass.App. Ct. 197.