

**MINUTES OF THE PROCEEDINGS OF THE
CONSERVATION COMMISSION OF THE CITY OF WORCESTER**

May 20, 2013

WORCESTER CITY HALL – ROOM 401

Conservation Commission Members Present: Stephanie Wood – Chair
John Donahue
Jordan Berg Powers
Joseph Charpentier
Mia McDonald
Paul Franco

Members Absent: Jeremy Theerman

Staff Present: Abby McCabe, Division of Planning & Regulatory Services
Deborah Steele, Division of Planning & Regulatory Services

CALL TO ORDER:

The Chair called the meeting to order at 5:30 pm.

APPROVAL OF THE MINUTES:

There were no minutes for approval.

**REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS,
NEW BUSINESS**

NEW BUSINESS:

1. Request for Certificate of Compliance – 42 Cheyenne Road (CC-1998-036):

Attorney Mo Bergman and Erza Knight, the applicant, appeared on behalf of the application for Certificate of Compliance for 42 Cheyenne Road.

Chair Wood stated that Jon Gervais from Department of Public Works had been to the site and reported that it has been stabilized.

Upon a motion by Commissioner Donahue and seconded by Commissioner McDonald, the Commission voted 6-0 to issue the Certificate of Compliance for 42 Cheyenne Road.

List of Exhibits:

Exhibit A: Application for Certificate of Compliance for 42 Cheyenne Road submitted by Erza Knight; received May 13, 2013.

2. Conservation Restriction (Greater Worcester Land Trust) – 0 Airport Drive (MBL 47-INX-0003A):

Colin Novik, Executive Director of the Greater Worcester Land Trust appeared on behalf of the item.

Mr. Novik stated the Greater Worcester Land Trust is a charitable corporation looking for approval of a conservation restriction on a parcel of land at 0 Airport Drive (shown as parcel 1 in the exhibit A). The purpose is to assure that the premises will be retained in perpetuity for conservation purposes in their present natural state, scenic and open condition, and to prevent any use of the premises that would impair or interfere with the conservation of the land. Mr. Novik stated the premises will provide open space for educational purposes, hiking, bird watching and other passive outdoor recreational uses.

Mr. Novik stated that the Greater Worcester Land Trust is receiving a grant from the state to help purchase the land and if process is not completed by June 30, 2013 they may not be eligible for the grant money.

Commissioner Franco expressed concern that this property will be removed from the tax rolls if approved by Conservation Commission and that the money being used to purchase the property is from taxpayers. He stated a private party could purchase the property and would still be subject to all the conservation restrictions and land would remain on tax rolls

Commissioner Berg-Powers stated he liked the idea of having the space be maintained for open space trails and hopes that the Greater Worcester Land Trust will try to make the trails accessible to everyone.

Linda Daigle Devalle stated she was a concerned citizen and stated she had read the conservation restriction agreement and there seems to be contradictions in the document regarding the allowed and prohibited uses and activities.

Mr. Novick explained that in Section B it explains what the reserved rights and exceptions are together with all uses and activities which are permitted but only if they do not materially impair the purpose of the conservation restriction or other significant conservation interests.

Joy Anderson stated she was abutter and asked who would be maintaining the property.

Mr. Novick stated the Greater Worcester Land Trust has a group of over 600 volunteers who help maintain different properties they hold and if they have the need for bigger equipment to help maintain the property they request assistance from the City of Worcester.

Commissioner Donahue asked if the land would need to be ADA compliant. Mr. Novick responded that they attempt to make land accessible for people with disabilities when it is possible.

Upon a motion by Commissioner McDonald and seconded by Commissioner Charpentier the Commission voted 5-0, (Commissioner Franco voted against) to approve a conservation restriction for 0 Airport Drive.

List of Exhibits:

Exhibit A: Conservation Restriction agreement submitted by Colin Novik; received May 8, 2013.

3. Signing of Decisions

42 Cheyenne Road – Certificate of Compliance

0 Airport Drive – Conservation Restriction

ADJOURNMENT

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Donahue, the Commission voted 6-0 to adjourn the meeting at 6:25 p.m.