

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

**SEPTEMBER 12, 2016**

**WORCESTER CITY HALL – LEVI LINCOLN CHAMBERS**

**Conservation Commission Members Present:** Joe Charpentier  
Peter McKone-  
Amanda Amory-Arrived late  
Henry Fields

**Member Absent:**

**Staff Present:** Michelle Smith, Planning & Regulatory Services Division  
Ed Kochling, Department of Public Works & Parks

**Call to Order:** 5:42 pm

**Approval of Minutes:** 2/22/2016-Held

**Requests for Continuances, Postponements, Withdrawals:**

**Public Hearings:**

**Unfinished Business – Requests for Determination of Applicability:**

**1. 457 Granite Street (MBL 45-003-00032) (CC-2016-016)**

Application: Request for Determination of Applicability

Applicant: Haimnotha Mandaen Community Organization

Project: To seek determination as to whether or not the proposed work to remove vegetation, woody debris, and trash and to move rocks to the north & south of the existing stream and to install a perimeter fence on property located at 457 Granite Street is subject to the Commission's jurisdiction.

Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal may occur within: the 25' riverfront area; along the bank of the stream; the 100' buffer zone associated with the bank of an unnamed perennial stream and/or any associated bordering vegetated wetlands; and within the stormwater protection zone

Constructive Grant Deadline: WPA –9/27/2016; WPO – n/a

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Upon a motion by Commissioner Berg Powers and seconded by Commissioner Fields the Commission voted 4-0 to postpone the item until the November 14, 2016 Conservation Commission meeting and to extended the constructive grant deadline until December 13, 2016.

**List of Exhibits**

**2. 148 Moreland Street (MBL 25-045-04R-1) (CC-2016-022)**

Application: Notice of Intent

Applicant: Anthony Romeo

Project: To construct a single family detached dwelling and driveway, along with associated site work, grading, utility and drainage, on property located at 148 Moreland Street.

Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100 ft. buffer to a bordering vegetated wetland, associated with an unnamed intermittent stream, and within the Stormwater Protection Zone

Public Hearing Opened : 7/25/2016

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Upon a motion by Commissioner Berg Powers and seconded by Commissioner Fields the Commission voted 4-0 to continue the public hearing until October 24, 2016.

**List of Exhibits**

**6. 0 & 9 Hemans Street and part of 40 Milton Street (MBL 09-030-007-2, 09-030-00009 & 09-030-00004) (CC-2015-055)**

Application: Notice of Intent

Applicant: John Boggia of JNBB, LLC

Project: The demolition of the existing structure on-site and the construction of three multi-family high-rise dwellings (a total of 93 dwelling units) and associated off-street parking along with related grading, utilities, and site work

Jurisdiction: The City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the Stormwater Protection Zone

Public Hearing Opening Deadline: WPA – n/a; WWPO – 9/12/2016

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Upon a motion by Commissioner Berg Powers and seconded by Commissioner Fields the Commission voted 4-0 to postpone the public hearing until September 26, 2016.

**List of Exhibits:**

Exhibit A: Notice of Intent Application filed September 1, 2015; received September 1, 2015.

Exhibit B: Plan prepared by H.S.&T. Group, Inc. dated September 2, 2015.

Exhibit C: Hydrology and Stormwater Management report dated July 31, 2015; received September 1, 2015.

Exhibit D: Postponement form dated December 10, 2015; received December 10, 2015.

**11. 0 & 770 Franklin Street (MBL 17-024-0203A & 17-024-02+03) (CC-2016-048)**

Application: Notice of Intent

Applicant: Cesmir Spiro

Project: The construction of a new road (aka Kiara Drive), 9 single-family semi-detached dwellings (duplexes), and associated off-street parking, along with related grading, drainage, utilities, and site work, on property located at 0 & 770 Franklin Street.

Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100’ buffer zone, associated with a bordering vegetated wetland and within the Stormwater Protection Zone

Public Hearing Opening Deadline: WPA – 9/14/2016; WWPO – 10/8/2016

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Upon a motion by Commissioner Berg Powers and seconded by Commissioner Fields the Commission voted 4-0 to postpone the public hearing until September 26, 2016.

a. Avery Estates (1 Avery Path & Avery Path Right-of-Way, Wyola Drive Right of Way, ~750’ west of Avery Path, & 159-176, and a portion of 190 & 192, Brookline Street & Brookline Street Right-of-Way, ~930’ east of 190 & 192 Brookline Street) (CC-2008-019)

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Fields the Commission voted 4-0 to continue the item to November 14, 2016 and to extend the constructive grant deadline until December 13, 2016.

b. Avery Estates (1 Avery Path & Avery Path Right-of-Way, Wyola Drive Right of Way, ~750’ west of Avery Path, & 159-176, and a portion of 190 & 192, Brookline Street & Brookline Street Right-of-Way, ~930’ east of 190 & 192 Brookline Street) (CC-2008-019).

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Fields the Commission voted 4-0 to continue the item to November 14, 2016 and to extend the constructive grant deadline until December 13, 2016.

### **Unfinished Business – Notices of Intent:**

### **New Business – Requests for Determination of Applicability:**

#### **3. 123 Glendale Street (MBL 48-019-00043) (CC-2016-045)**

Application: Request for Determination of Applicability

Applicant: David Minasian

Project: To seek determination as to whether or not the proposed work associated with the repair/replacement of structural elements of an existing accessory structure, along with related site work, on property located 123 Glendale Street, is subject to the Commission’s jurisdiction.

Jurisdiction: The Massachusetts Wetlands Protection Act & the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100’ buffer zone to Patch Reservoir and within bordering land subject to flooding associated therewith

Public Hearing Opening Deadline: WPA – n/a; WPO – 10/6/2016

Constructive Grant Deadline: WPA –9/12/2016; WPO – n/a

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Commissioner Berg Powers recused himself from the item.

David Minasian appeared on behalf of the application. He stated that he needed to replace some structural elements on the shed in his back yard. Work is minimal and ground disturbance is minimal. Any excavation will be hand dug and limited to footing placement for existing structure.

Upon a motion by Commissioner McKone and seconded by Commissioner Fields the Commission voted 3-0 to issue a Negative Determination of Applicability.

**List of Exhibits**

Exhibit A: Request for Determination of Applicability application received August 22, 2016 and dated August 22, 2016.

Exhibit B: Map dated July 29, 2016.

Exhibit C: DPW memo re: 123 Glendale Street dated September 6, 2016.

Commissioner Berg Powers returned to the meeting room.

**4. 78 Circuit Avenue North (MBL 14-022-00019) (CC-2016-047)**

Application: Request for Determination of Applicability

Applicant: Robert F. Morus

Project: To seek determination as to whether or not the proposed work associated with the installation of a patio and associated infrastructure, along with related site work and grading, on property located at 78 Circuit Avenue North, is subject to the Commission's jurisdiction

Jurisdiction: The Massachusetts Wetlands Protection Act & the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100' buffer zone to the bank of Coes Reservoir and within bordering land subject to flooding associated therewith

Public Hearing Opening Deadline: WPA – n/a; WPO – 10/8/2016

Constructive Grant Deadline: WPA –9/14/2016; WPO – n/a

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Robert Morus appeared on behalf of the application. He stated that he would like to use an unusable back yard into a patio area and extend the patio that is already on the premises and it would be near the 100' buffer.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner McKone the Commission voted 4-0 to issue a Negative Determination of Applicability.

**List of Exhibits**

Exhibit A: Request for Determination of Applicability received August 24, 2016 and dated August 24, 2016

**5. 121 Glendale Street (MBL 48-019-00042) (CC-2016-049)**

Application: Request for Determination of Applicability

Applicant: David Coyne  
Project: To seek determination as to whether or not the proposed work associated with the removal of the existing garage as well as a portion of the existing driveway, along with related site work and re-grading, on property located at 121 Glendale Street, is subject to the Commission's jurisdiction.  
Jurisdiction: The Massachusetts Wetlands Protection Act & the City of Worcester Wetlands Protection Ordinance - The proposal shall occur within the 100' buffer zone to Patch Reservoir  
Public Hearing Opening Deadline: WPA – n/a; WPO –10/8/2016  
Constructive Grant Deadline: WPA –9/14/2016; WPO – n/a

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Commissioner Berg Powers recused himself from the item

David Coyne appeared on behalf of the application. He stated that he has a garage on his property that needs to be removed and stated that he spoke with DPW who recommended they submit a plan showing the erosion controls that would be used during the removal of the shed and he has provided that plan.

Upon a motion by Commissioner McKone and seconded by Commissioner Armory the Commission voted 3-0 to issue a Negative Determination of Applicability.

#### **List of Exhibits**

Exhibit A: Request for Determination of Applicability Application received August 24, 2016 and dated August 24, 2016.

Exhibit B: Map dated August 29, 2016.

Exhibit C: DPW memo re: 121 Glendale Street dated September 6, 2016.

Exhibit D: DPW memo re: 121 Glendale Street dated September 6, 2016.

Commissioner Berg Powers returned to the meeting room

#### **New Business – Notices of Intent:**

##### **8. 185 Salisbury Street (MBL 20-014-00010) (CC-2016-043)**

Application: Notice of Intent  
Applicant: The American Antiquarian Society  
Project: To construct a ~7,000 SF addition to the existing structure, along with related grading, drainage, and site work, on property located at 185 Salisbury Street  
Jurisdiction: The City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the stormwater protection zone  
Public Hearing Opening Deadline: WPA – n/a; WWPO – 9/30/2016

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Chris Barton from Graves Engineering appeared on behalf of the application. Mr. Barton stated that the addition is going to infill the inlet they have at the existing building and the roof runoff will go into an infiltration system with any overflow going into the city system.

Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers the Commission voted 5-0 to close the public hearing.

**List of Exhibits**

Exhibit A: Notice of Intent Application filed August 16, 2016 and dated August 16, 2016.

Exhibit B: Plan prepared by Graves Engineering dated August 15, 2016.

**9. 48 Tory Fort Lane (MBL 40-041-00005) (CC-2016-044)**

Application: Notice of Intent

Applicant: Sparhawk Realty, LLC

Project: The construction of two single-family detached dwellings and associated parking as well as related grading and site work on property located at 48 Tory Fort Lane.

Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100’ buffer zone to a bordering vegetated wetland

Public Hearing Opening Deadline: WPA – 9/9/2016; WWPO – 10/3/2016

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Scott Morrison from EcoTec appeared on behalf of the application and reviewed the plans of what was the proposal for the location.

Jon Dick, 61 Tory Fory Lane expressed about stockpiling on site.

Bernard Greece, 62 Tory Fort Lane expressed concern as to where the water will flow.

Mr. Morrison stated that the grades on these lots would just be raised minimal and the Commission had asked him to go back and speak with the engineer about that. Mr. Morrison stated that he will have the engineer take a second look at the grades to ensure that the water goes into the wetland.

Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers the Commission voted 5-0 to continue the item until the September 26, 2016 Conservation Commission meeting.

**List of Exhibits**

Exhibit A: Notice of Intent Application filed August 19, 2016 and dated August 19, 2016

Exhibit B: Plan prepared by H.S.&T. Group, Inc. dated August 2, 2016.

Exhibit C: DPW memo re: 48 Tory Fort Lane dated September 23, 2016.

Exhibit F: Postponement form dated September 12, 2016 and dated September 12, 2016.

**10. 640 Park Avenue (MBL 08-023-00001) (CC-2016-046)**

Application: Notice of Intent

Applicant: Branded Realty Group II, LLC

**Project:** To demolish the existing structure and to construct two new commercial buildings and an associated surface parking lot, along with related grading and site work, on property located at 640 Park Avenue.

**Jurisdiction:** The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within bordering land subject to flooding, associated with Beaver Brook, and within the stormwater protection zone

**Public Hearing Opening Deadline:** WPA – 9/13/2016; WWPO – 10/7/2016

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James Tehreault from Thompson & Liston Associates appeared on behalf of the application. He stated that the plan is to demolish the existing restaurant on the site and then redevelop the site as a gas station/convenience store and structure for office use.

Mr. Tehreault stated that staff had requested that erosion controls be shown on the plan and they have done that.

Ms. Smith stated that no DEP file # has been issued so the hearing cannot be closed tonight.

Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers the Commission voted 5-0 to continue the item until the September 26, 2016 Conservation Commission meeting.

### **List of Exhibits**

**7. 0 (aka 42), 0 (aka 30), & 20 Quinsigamond Avenue (MBL 05-022-01+02, 05-022-0102A, & 05-022-0102B) (CC-2016-029)**

**Application:** Amendment to an Order of Conditions

**Applicant:** NSTAR Gas Company d/b/a Eversource Energy

**Project:** An Amendment to an Order of Conditions with the Worcester Conservation Commission for the clean-up/remediation (e.g. excavation, processing, and disposal) of hazardous materials (e.g. contaminated soil, water, and debris), in compliance with the requirements of the Massachusetts Contingency Plan, along with site work associated therewith, on property located at 0 (aka 42), 0 (aka 30), & 20 Quinsigamond Avenue. The applicant seeks to amend the current Order to include an additional property - located at 0 (aka 42) Quinsigamond Avenue – to the scope of work along with ancillary changes to the proposed work.

**Jurisdiction:** The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within bordering land subject to flooding and the Stormwater Protection Zone

**Public Hearing Opening Deadline:** WPA – 9/12/2016; WWPO - 9/12/2016

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Kim Henry appeared on behalf of the application. She stated that they are requesting an Amendment to the Order of Conditions to modify the work and showed on the plan where the work was proposed.

Upon a motion by Commissioner McKone and seconded by Commissioner Fields the Commission voted 5-0 to close the public hearing.

**List of Exhibits**

**New Business – Notices of Intent:**

**12. 47 Quinsigamond Avenue (aka 40, 47, & 50 Canton Street or Crompton Park) & partially within the Harding Street, Canton Street, & Endicott Street Right-of-Ways (MBL 05-022-00003) (CC-2016-050)**

Application: Amendment to an Order of Conditions  
Applicant: City of Worcester Department of Public Works & Parks  
Project: An Amendment to an Order of Conditions with the Worcester Conservation Commission (CC-2015-021) for the proposed installation of two basketball courts and improvements to pedestrian amenities, along with associated demolition activities, related grading, and site work, at Crompton Park.  
Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within bordering land subject to flooding and the stormwater protection zone  
Public Hearing Opening Deadline: WPA – 9/14/2016; WWPO - 10/8/2016

Mike Moonan appeared on behalf of the applicant. He stated that they are requesting to amend the Order of Conditions for the proposed basketball courts and other associated work on the site.

Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers the Commission voted 5-0 to close the public hearing.

**List of Exhibits**

**13. 301 Green Hill Parkway (aka Green Hill Park – Vietnam Veterans Memorial) (MBL 57-003-00003) (CC-2016-051)**

Application: Notice of Intent  
Applicant: City of Worcester Department of Public Works & Parks  
Project: Improvements to pedestrian amenities and repair of the pond edge, along with related site work and grading, on property located at Green Hill Park and associated with an unnamed pond at the Vietnam Veterans Memorial.  
Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance –The proposal shall occur within the 100’ buffer zone, bank, and land under water, each associated with an unnamed pond and an unnamed intermittent stream, and within the stormwater protection zone  
Public Hearing Opening Deadline: WPA – 9/14/2016; WWPO – 10/8/2016

Mike Moonan appeared on behalf of the application. He stated that this is for a repair project for the Vietnam Memorial at Green Hill Park.



Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers the Commission voted 5-0 to close the public hearing.

### **List of Exhibits**

Exhibit A: Notice of Intent Application filed August 24, 2016 and dated August 24, 2016.

Exhibit B: Plan prepared by Weston & Sampson dated August 12, 2016.

Exhibit C: Communication from Weston & Sampson re: Vietnam Veterans Memorial dated September 12, 2016 and dated September 12, 2016.

Exhibit D: DPW memo re: 50 Skyline Drive dated September 6, 2016.

## **14. Consideration of Proposed Amendment to the City of Worcester Wetlands Protection Regulations**

In accordance with the requirements of the City of Worcester Wetlands Protection Ordinance (City of Worcester Revised Ordinance, Part 1, B. 6. § 10) and the City of Worcester Wetlands Protection Regulations (Section 1.4), the City of Worcester Conservation Commission seeks to amend the existing Wetlands Protection Regulations (last revised 7/1/2007) to require electronic submission of applications and associated materials

Chair Charpentier stated that this is basically to require electronic submission as well as the hard copies of the application to the Commission and the amendment would be as follows:

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Digital Submission. In addition to the required paper copies, all applications and associated plans and materials (“materials”) shall also be electronically submitted prior to or at the time of application submittal to the Conservation Commission Office.

- (a) Such materials shall be submitted using an electronic file sharing service acceptable to the Division of Planning & Regulatory Services and shall be provided in the following format:
  - (i) In portable document format (.pdf), readable by Adobe Acrobat v.7.0 or later, named by project address and application type;
  - (ii) Minimum resolution of 200 dpi; and
  - (iii) No single file shall be greater than 50 MB (collections may be broken into separate files).
  
- (b) Exceptions:
  - (i) Any application items not produced electronically, such as hand-drawn plans, drawings or hand-written applications are not required to be submitted electronically; and
  - (ii) Plans, drawings, and applications created prior to September 2016 that are not available to the applicant in electronic format.

Commissioner McKone stated that he is uncomfortable with requiring applicant to use specific software as it changes over time.

Ms. Smith stated that is what the other boards used and what the city currently used and doesn't see it becoming a problem as it just about readability.

Upon a motion by Commissioner McKone and seconded by Commissioner Armory the Commission voted 5-0 to adopt the amendment.

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### **Other Business:**

#### **15. Request for Determination of Significance and Subsequent Action due to a Project Change**

##### **a. 125 Olean Street (CC-2004-034 & DEP #349-800)**

Mohammad Soheyli appeared on behalf of the item.

Mr. Soheyli stated that on Lot #6 they moved it out of the 30' buffer zone and on Lot #7 they minimized it to a small area to make area for second garage and he has provided detail to the Commission on that.

Ms. Smith stated that staff would express concern relative to a discretionary waiver if the Commission is considering the pervious pavement a permanent structure then a waiver would be required unless the applicant can cite a qualified limited project so the Commission would need to find that the criteria is appropriate in this case.

Ms. Smith reviewed the voting option that the Commission would be voting on.

Commissioner McKone stated that he thinks they should vote separately on Lot #6 and Lot #7.

Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers Lot #6, Lots # 5432 and 125 Olean Circle as well as the Right of the Way is inconsequential.

Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers the Commission voted 5-0 to continue Lot #7 to September 26, 2016.

##### **b. 0 Greenwood Street (aka Greenwood Street Landfill Solar Connection Project) (CC-2016-027 & DEP #349-1133)**

Brian Huntely from Tighe and Bond appeared on behalf of the application. He stated that they are doing some modifications to project that the Commission had approved and reviewed the modifications.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner McKone the Commission voted 5-0 that the change was inconsequential.

#### **16. Enforcement Order Updates:**

##### **c. Arboretum Village Estates (CC-EO-2016-002)**

Mr. Kochling stated that he has stopped inspecting that site as he was turned away. He has option from the Law Department to file administrative warrant to go the property to check the erosion control and decided not to do that.

Ms. Smith stated that she does not believe another inspector has been assigned but she could go to the site and take photos but cannot fill in for DPW capacity.

Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers the Commission voted 5-0 to contact DPW as to who DPW is assigning to inspect the project.

**d. Goldthwaite Road (Burncoat Gardens Phase I & V aka White Birch Commons) (CC-EO-2015-007)**

Chuck Scott from CFS Engineering appeared on behalf of the item as the Engineer working on the project. He reviewed the site work, discussed site walks by Mr. Kochling and Commission members. Improved detention basin, installed new check dams. Listed progress on individual lots, stated site is fully stabilized or tarped to prevent exposed soil leading to erosion. Requesting lifting of cease and desist order so they can progress beyond Phase 1. Commission requested maintenance and repair of existing silt fencing on Goldthwaite Rd. Mr. Kochling described their replacement of damaged erosion control and continuing measures. Commission questioned when silt fencing on Pierce Ave would be removed, Mr. Scott stated that once berming was finished along that road, it would be removed.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Berg Powers the Commission voted 4-1 (Chair Charpentier voting against) to lift the Enforcement Order.

**Burncoat Gardens aka White Birch Commons (aka 72 Goldthwaite Road) Phase I – Units #5-8 (CC-2013-057 & DEP# 349-1075).**

Mr. Kochling described the front yards as being sprayed with hydroseed but no root growth yet and that it was a judgement call by the Commission if they wished to issue a certificate with the assumption that grass should be growing soon. Mr. Scott stated the back yards are well established. Front yards, even if there is erosion, any silted runoff would be discharged to their settling pond and detention basin and not impact any resource areas.

Ms. Smith stated that if Commission does vote to give partial release then she draws their attention to the Law Department correspondence which states if the applicant does receive a certificate of compliance that the security of the bond lapses and Law Department's opinion that could be interpreted that applicant did receive a full Certificate of Compliance.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Fields to issue a partial Certificate of Compliance for Burncoat Gardens now known as White Birch Commons for Units #5-8 and for the Conservation Commission purposes of bonding it will need to be a full compliance and that the partial Certificate of Compliance does not violated the bond agreement.

Mr. Scott distributed a letter requesting that at the end of the month, they would like to be able to open areas outside of Region 1. This is request is based on the fact that they have finished work in much of Region 1 and he has designed further lots. This would be maintaining the same area or less of land under construction and well within the capacity of the retention basin.

Ms. Smith stated that there is no specific requirement that the Commission vote on the item as there is condition already in the Order of Condition that was issued and the

Commission can just take note that they received the calculations from CFS Engineering in a letter dated September 12, 2016.

Ms. Smith requested information on where permanent markers would be installed and when they would be installed. Mr. Scott inquired about recommended spacing, Commission stated at the 15' buffer, following the location of wetland flagging. Ms. Smith also requested notification 48 hours prior to commencement of work on the crossing.

**e. 0 Granite Street – Broadmeadow Brook (CC-EO-2016-003)**

Ms. Smith stated that Mr. Kochling did go to the site and there is evidence of dumping and staff is working on solutions as the property is owned by the City of Worcester.

**f. 128 Alvarado Avenue & 100 Nonquit Street (CC-EO-2016-004)**

Chair Charpentier recused himself and left the meeting room.

Scott Morrison (didn't identify himself for the record) stated that he had spoken with Pat Burke and the plantings were plants as required by the Commission but due to the draught are not in good condition and he would suggest waiting until Spring and see how the plantings are at that time.

Upon a motion by Commissioner McKone and seconded by Commission Fields the Commission voted 4-0 to continue the item until Spring 2017.

Chair Charpentier returned to the meeting room.

**g. 21 (aka 29) Quaboag Street (CC-EO-2016-005)**

Ms. Smith stated that they have not received an application at this time.

**Other Business:**

**17. Requests for Certificate of Compliance:**

**h. 125 Olean Street (CC-2004-034 & DEP #349-800)**

Ms. Smith stated that the Certificate of Compliance being requested is for the right of way for Lots #5 #2 and #3 &4 and Lots #6 & #7 could not obtain Certificate of Compliance if applicant wants to do construction.

Mr. Kochling stated he had gone to the site and there has been no change to the site and there is no lawn at the property.

Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers the Commission voted 5-0 to issue a partial Certificate of Compliance for the house at 125 Olean Street, Lots #6 and Lots #5 which includes the right of way.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Fields the Commission voted 5-0 to continue the portion of the Certificate of Compliance for Lots #3/4 to the September 26, 2016 Conservation Commission and extension of the constructive grant deadline to October 24, 2016.

**i. 981 Grafton Street (CC-2014-010 & DEP# 349-1080)**

Brian McCarthy appeared on behalf of the item. He stated that they completed the work on the site and they are requesting a Certificate of Compliance.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner McKone the Commission voted 5-0 to issue a Certificate of Compliance.

**j. 20-24 Rockdale Street (CC-2015-034 & DEP# 349-1103)**

Mr. Kochling stated that he had gone to the site and that some street sweepings placed in brook and he informed the owner of that who stated that he would take care of it.

Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers the Commission voted 5-0 to issue a Certificate of Compliance.

**k. 20 (aka Lot 1) Whisper Drive (CC-2007-056)**

Glen Kravosky appeared on behalf of the item.

Mr. Kochling stated that the site was stable.

Ms. Smith stated that the Certificate has expired for this site.

Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers the Commission voted 5-0 to issue a Certificate of Compliance.

**18. Communication:**

**l. Notice of Issuance of Drought Warning by Massachusetts Executive Office of Energy and Environmental Affairs relative to the Wetlands Protection Act; from MACC; received 8/12/2016**

No comment.

**m. Notice of Treatment for Crystal Park Pond (DEP# 349-425) on 8/25/2016; from Solitude Lake Management; received 8/17/2016**

No comment.

**n. Notice of Treatment for Little Indian Lake (DEP# 349-678) on 8/25/2016; from Solitude Lake Management; received 8/19/2016**

No comment.

**o. Communication about and photos of 655 Salisbury Street Pond from Jamie Vander Salm – re: 0 (aka 697 or Lot 7) Salisbury Street (CC-2015-070); received 8/26/2016**

Ms. Smith stated that an email had been provided by Mr. Vander Salm relative to the issue which has been provided to the Commission.

Mr. Kochling stated that he had been to the site several times and there was a rain event and Mr. Vander Salm stated that his pond was effected and there appears to be some runoff coming from Lot #7 and Mr. Kochling stated that he has met with the builder who has regraded the property and has reinstalled erosion controls and added second layer of erosion controls and has installed his cul tec unit so hopefully that will prevent further problems.

Mohammad Djamishi the property owner appeared on behalf of item and expressed concern as to how his application is being treated.

Commissioner McKone stated the he believes a site visit is in order.

**p. Environmental Notification Form (ENF) for Route 20 Sewer Extension Project; from Tighe & Bond, Inc. on behalf of the City of Worcester; received 9/1/2016.**

No comment.

**q. Construction Report & Turbidity Monitoring data for Lots 1-5 or 10 Iroquois Street, 0 (aka 12) Quissett Street and 48 & 50 Wamsutta Avenue (per Order of Conditions for CC-2015-039); from EcoTec, Inc.; received 9/6/2016.**

No comment.

**19. Land Acquisition and Land Management:**

**r. Land Management Updates:**

- i. Update about Land Management Activities at Cascades East; from Greater Worcester Land Trust; received 8/23/2016.

Ms. Smith stated that workers from Greater Worcester Land Trust have been cleaning the area.

- ii. Photos from Land Management Activities at Crow Hill - Black Oak Savannah; from the Greater Worcester Land Trust; received 9/6/2016.

Ms. Smith stated that Colin Novik has provided some photos of the work done.

**s. Draft Policy on Priority Property Acquisitions Criteria**

Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers the Commission voted 5-0 to hold the item until the September 29, 2016 Conservation Commission meeting

**t. Potential Property Acquisitions (via Tax Title Foreclosure):**

- i. 64 & 66 Rockrimmon Road (MBL 47-007-10-12 & 47-007-00013)
- ii. 40R Venus Drive (MBL 33-34B-00128)
- iii. 6 Passageway Six (MBL 42-023-00124)

Upon a motion by Commissioner McKone and seconded by Commissioner Berg Powers the Commission voted 5-0 to hold the item until the September 29, 2016 Conservation Commission meeting

**20. Discussion of Special Conditions and Issuance of Orders of Conditions**

**21. Signing of Decisions**

**Adjournment**

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Fields the Commission voted 5-0 to adjourn the meeting at 9:45 p.m.