



# City of Worcester Conservation Commission Meeting Agenda

Monday, April 3, 2017

Worcester City Hall, 455 Main Street, Levi Lincoln Chamber, 3rd floor at 5:30 P.M.

## Commission Members

Joseph Charpentier, *Chair*  
Peter McKone, *Vice Chair*  
Amanda Amory  
Tunde Baker  
Jordan Berg Powers  
Christian Escobar

## Contacting the Commission

Division of Planning & Regulatory Services serves as the Commission's staff.

- **Address:** City Hall, 455 Main St, Room 404, Worcester, MA 01608
- **Hours:** M-F 8:30am-2:00pm
- **Phone:** 508-799-1400 ext. 31440
- **Email:** [planning@worcesterma.gov](mailto:planning@worcesterma.gov)

The Conservation Commission is committed to ensuring that its public meetings are accessible to people with disabilities. Should you require auxiliary aids, services, written materials in other formats, reasonable modifications in policies and procedures, please call 508-799-1400 x31440 in advance of the scheduled meeting.

## Division of Planning & Regulatory Services

### *Our Mission:*

To provide credible, timely, and accessible data and analysis for decision-making and problem solving for land and programmatic development

### *Division Staff:*

Stephen S. Rolle, Assistant Chief Development Officer  
Domenica Tatasciore, Chief Planner  
Luba Zhaurova, Sustainability Proj. Mgr.  
Michelle M. Smith, Senior Planner  
Michael Antonellis, Planning Analyst  
Susan Arena, Preservation Planner  
Deborah Steele, Prin. Staff Assistant

## Upcoming Meetings

April 10, 2017\* Special Meeting  
May 1, 2017  
May 22, 2017  
June 12, 2017  
July 10, 2017  
July 31, 2017  
August 21, 2017  
September 11, 2017  
October 2, 2017  
October 23, 2017  
November 13, 2017  
December 4, 2017

**Call to Order:** 5:30 pm

**Approval of Minutes:** 8/4/2016

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

**Public Hearings:**

### **Unfinished Business – Request for Determination of Applicability:**

#### **1. 18 Bullard Avenue (MBL 46-022-307-2) (CC-2017-016)**

Application: Request for Determination of Applicability

Applicant: JEKN, LLC

Project: To seek determination as to whether or not the proposed work associated with the construction of a single-family detached dwelling and related site work is subject to the Commission's jurisdiction

Jurisdiction: The City of Worcester Wetlands Protection Ordinance - The proposal shall occur within the stormwater protection zone

Public Hearing Opened 3/20/2017; Constructive Grant Deadline: TBD

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

#### **2. 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 Opened: 1/9/2017

#### **3. 0 (aka lot 6A or 677 and fka Lot 4) Salisbury Street (MBL 50-023-00003) (CC-2016-060)**

Application: Notice of Intent

Applicant: Salisbury Holdings, LLC

Project: To construct a single-family detached dwelling and associated off-street parking, along with related site work and grading, on property located at 0 (aka lot 6A or 677 and fka Lot 4) Salisbury Street.

Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100' buffer to a bordering vegetated wetland associated with the bank of an unnamed stream and possibly within riverfront area associated therewith

Public Hearing Opened: 12/19/2016

**Unfinished Business – Notices of Intent:**

**4. 400 Southwest Cutoff (aka Lot A Latti Farm Road) (MBL 45-006-00002) (CC-2017-006)**

Application: Notice of Intent  
Applicant: K. Martin Linder, of KEL Leasing, Inc.  
Project: To construct a ~10,000 SF commercial structure with associated parking along with related grading, drainage and site work at property located at 400 Southwest Cutoff.  
Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100' buffer to bank and/or a bordering vegetated wetland, associated with an intermittent stream, and within the stormwater protection zone  
Public Hearing Opening Deadline: WPA – 2/23/2017; WWPO - 3/19/2017

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**Unfinished Business – Request to Amend Order of Conditions:**

**5. 7 Egan Avenue (MBL 34-038-00157) (CC-2017-019)**

Application: Request to Amend an Order of Conditions  
Applicant: EBT, Inc.  
Project: To modify the original approval (CC-2015-040) to construct a single-family detached dwelling and related site work.  
Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100' buffer zone to the bank and/or bordering vegetated wetlands, associated with a stream, within the bank thereto, and within the stormwater protection zone  
Public Hearing Opened: 3/20/2017

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

**6. 10 Lake Avenue North (MBL 57-005-00002) aka Quinsigamond State Park – Regatta Point and within a portion of Lake Quinsigamond (CC-2017-020)**

Application: Request for Determination of Applicability  
Applicant: Massachusetts Department of Conservation and Recreation  
Project: To seek determination as to whether or not the proposed work associated with the replacement of the existing floating docks with new floating docks, along with related site work, is subject to the Commission's jurisdiction.  
Jurisdiction: The Massachusetts Wetland Protection Act and the City of Worcester Wetlands Protection Ordinance - The 100' buffer zone associated to the bank of a Lake Quinsigamond, and/or associated bordering vegetated wetlands, within land under water or Bordering Land Subject to Flooding, each associated with Lake Quinsigamond and within the stormwater protection zone  
Public Hearing Opening Deadline: WPO - 4/24/2017  
Constructive Grant Deadline: WPA - 3/31/2017

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**New Business – Request to Amend Order of Conditions:**

**7. 128 Alvarado Avenue (MBL 41-026-00137) (CC-2017-017)**

Application: Request to Amend an Order of Conditions  
Applicant: Elli Realty Trust  
Project: To modify the original approval (CC-2008-045) to construct a subdivision with five single-family homes and related improvements, including grading, paving, and drainage, along with related site work  
Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100' buffer to a bordering vegetated wetland and within the stormwater protection zone  
Public Hearing Opening Deadline: WPA – 4/3/2017; WWPO - 4/3/2017

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

### **8. 164, 182 & 188 Southwest Cutoff (MBL 34-034-00003; 34-034-00012) (CC-2017-021)**

Application: Notice of Intent  
Applicant: Dario Diesel, Inc.  
Project: For the demolition of existing site infrastructure and the construction of a new truck maintenance facility and associated parking areas, along with related grading, paving and site work.  
Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100' buffer to a bordering vegetated wetland and within the Stormwater Protection Zone.

Public Hearing Opening Deadline: WPA – 4/6/2017; WWPO – 4/30/2017

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### **9. 361 & 363 Plantation Street (aka 361 Belmont Street) (MBL 57-04A-00003) (CC-2017-022)**

Application: Notice of Intent  
Applicant: Sedler Corporation (Beechwood Hotel)  
Project: For the reconstruction of the north pavilion, addition of outdoor pedestrian and site amenities, related grading, landscaping, drainage, 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 – 4/30/2017

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## **Other Business:**

**10. Request for Determination of Significance and Subsequent Action** due to a Project Change relative to an Order of Conditions for Salisbury Hill (CC-2001-071 & DEP #349-721)

**11. Request to Discuss (set form of) Security for Salisbury Hill (CC-2001-071 & DEP #349-721)**

### **12. Requests for Extension of Time**

- a. Order of Conditions for Arboretum Village Estates – Phase IV (Bittersweet Boulevard; Indigo Circle; Snowberry Circle) (CC-2009-042; DEP #349-1031)
- b. Order of Conditions for Country Club Acres (aka Garrison Avenue & 190 East Mountain Street; Cobblestone Lane) (fka Paradise Point) (CC-2007-025 & DEP #349-931)
- c. Order of Conditions for Eskow Road (CC-2009-001; DEP #349-964)
- d. Order of Conditions for 121 Russell Street (aka Elm Park) (CC-2014-012; DEP #349-1081)
- e. Order of Conditions for Pond Management at 222 Harrington Way (aka the Ecotarium) (CC-2010-014; DEP #349-995)

### **13. Enforcement Order Updates:**

- a. Arboretum Village Estates (CC-2009-042 & DEP #349-979; CC-EO-2016-002)
  - i. Turbidity Sampling Results for the months of November & December 2016 and January 2017 and other select dates; from EcoTec, Inc.; received on various dates.
- b. 128 Alvarado Avenue (CC-2008-045 & DEP #349-963; CC-EO-2016-004)
- c. Country Club Acres (aka Garrison Avenue & 190 East Mountain Street; Cobblestone Lane) (fka Paradise Point) (CC-2007-025 & DEP #349-931; CC-EO-2016-005)
- d. 21 (aka 29) Quaboag Street (CC-2017-009 & DEP #349-1157; CC-EO-2016-005)
- e. 100 (fka) Goldthwaite Road (aka White Birch Commons; fka Burncoat Gardens) (CC-2013-057 & DEP #249-1075 (CC-EO-2017-001))

## **Other Business:**

### **14. Requests for Certificate of Compliance:**

- b. 501-505 Mill Street "Center Hill" Project (CC-2001-027)

### **15. Request for Performance Bond Release for 501-505 Mill Street "Center Hill" Project (CC-2001-027)**

### **16. Communication:**

- a. Keolis Commuter Services 2017 Yearly Operational Plan; from Fair Dermody Consulting Engineers; received 3/23/2017.
- b. Shaping the Future of Your Community free Workshop Program; from Mass Audubon; received on 3/24/2017.
- c. Correspondence regarding turbidity at Arboretum Village Estates; from Attorney James Vander Salm; received 3/27/2017.

### **17. Land Acquisition and Land Management:**

- a. Land Management Updates
  - i. Invitation to Cascades East Earth Day Clean up on April 8, 2017, from Greater Worcester Land Trust; received 3/20/2017.
  - ii. Worcester Waterways and Waterbodies – draft contacts list.
- b. Land Acquisition Updates
  - i. Fowler Gorge (501-505 Mill Street) Conservation Restriction

### **18. Draft Policy Regarding Project Changes**

### **19. Suggestions for Changes with Regard to the City of Worcester Wetlands Protection Regulations**

### **20. Discussion of General Processes and Procedures**

### **21. Discussion of Special Conditions and Issuance of Orders of Conditions**

### **22. Signing of Decisions**

## **Adjournment**