

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

**February 4, 2013**

**WORCESTER CITY HALL – LEVI LINCOLN ROOM**

**Conservation Commission Members Present:**

Joseph Wanat – Chair  
Stefanie Wood – Vice-Chair  
Jeremy Theerman  
Jordan Berg-Powers  
Jack Donahue  
Paul Franco  
Mia McDonald

**Members Absent:** None

**Staff Present:**

Jonathan Gervais, Department of Public Works & Parks  
Abby McCabe, Division of Planning & Regulatory Services  
Nancy Tran, Division of Planning & Regulatory Services

**CALL TO ORDER:**

The Chair called the meeting to order at 5:33 pm.

**APPROVAL OF THE MINUTES:**

Upon a motion by Commissioner Franco and seconded by Commissioner Donahue, the Commission voted 6-0 to approve the minutes for July 23, 2012, August 6, 2012, August 20, 2012, December 3, 2012 and January 14, 2012 as amended.

Commissioner Berg-Powers was not present for the approval of the minutes vote.

**NEW BUSINESS**

**Public Hearing**

**1. 486 Chandler Street (CC-2013-001) – Notice of Intent:**

Wetlands scientist Michael Howard of Epsilon Associates Inc. appeared on behalf of a Notice of Intent application submitted by the Massachusetts State College Building Authority. Also present with Mr. Howard were:

- Jared Gentilucci – Project Engineer, Nitsch Engineering
- Robert Daniels – Associate Director of Facilities, Worcester State University
- Paul Galligan – Project Engineer, Consigli Construction Co. Inc.
- Mike Morrow – Projects Manager, Consigli Construction Co. Inc.
- Jessie Crowley – Landscape Designer, Brown, Richardson + Rowe

Mr. Howard said the application is for Phase II in the construction of a new residence hall, dining facility and related parking. Other proposed associated work includes improvements/upgrades to foundation work, utility connections, landscaping and the existing management system. Mr. Howard showed the demarcation between Phase I (previously heard by the Commission) and the Phase II, explaining that most work has been and will continue to take place in the wetland buffer zone. The project is located on the campus' relatively flat northwest end near the existing football field and Lake Ellie. The site's perimeter is bordering vegetated wetland (BVW) and is within proximity to a second BVW north of the football field. The resource area had been delineated and it was found that there were no endangered species, vernal pools, etc. Mr. Howard said Phase II will not clear additional vegetation and will not work within or stockpile materials within the 15' and 30' buffer zones. Proposed utilities will be connected to existing lines and proposed landscaping will be a mix of ALB-resistant species. Erosion control measures will consist of haybales and silt fences and the new stormwater management system will meet MassDEP standards.

Mr. Gentilucci described existing conditions and described how stormwater will drain to catchbasins, Lake Ellie and the wetlands. He stated that the new building will go on the existing parking lot and which will improve stormwater quality because it is roof runoff rather than parking lot runoff.

Chair Wanat inquired about the roof drain system, retaining wall and site elevation. Mr. Gentilucci said there will be three roof drains that discharge into the detention system and then into manholes. At surface level, there will be a 6" reveal granite curb with trench drain and catchbasin ties to the stormwater system, inlet and detention system. The retaining wall will have a timber guard rail between the curb and site walk as a buffer between the elevation change to the wetlands.

Chair Wanat inquired about snow storage and road width. Mr. Daniels said snow storage will be on another side of campus and that there will be no stockpiling near the slope.

Mr. Gervais had no comments.

Commissioner Berg-Powers asked whether there will be additional stormwater treatment prior to discharging into the resource area and why the wooded area will be landscaped. Mr. Gentilucci said runoff will be level spreaded over an area with an underground sump and rip rap filter. He added that the clearing was for structural reasons and that regrading limits will not deviate from Phase I.

Commissioner Wood inquired whether the stormwater plan will be documented in the Stormwater and Wastewater infrastructure Permit (SWIP). Mr. Gentilucci said the stormwater report's operation and maintenance section states that the system should be checked annually for sedimentation buildup. However, the report indicated that the university has its own stormwater management best management practices (BMP) to address operations and maintenance.

Mr. Morrow said Phase I was at 70% and anticipated to be complete within the next four weeks. Phases I and II are expected to overlap for 3-4 weeks, with the latter phase to be completed within 6-8 months. He said the paving, retaining wall and drainage are done.

Mr. Howard said no project renderings were available but not present at the meeting.

Mr. Gentilucci said Lake Ellie acts as a detention basin and outlets into a BVW located northwest of the athletic field. Lake Ellie has a sedimentation structure within it will have a

slight reduction in sedimentation because of lower stormwater load. There is also a vortex system in the nearby plaza.

Dr. James Bolger, 15 Candlewood Street, inquired whether his house and street would be impacted. Mr. Gentilucci replied that grading directs runoff to the north toward the wetlands and Lake Ellie. Chair Wanat added that the proposed project will improve runoff conditions because the building roof will be self-contained and drain directly into the stormwater system.

Upon a motion by Commissioner Franco and seconded by Commissioner Wood, the Commission voted 6-0-1 (Commissioner Berg-Powers abstained from voting) to issue an Order of Conditions. Discussion regarding issuance of Order of Conditions was held to the end of the meeting.

**List of Exhibits:**

Exhibit A: Notice of Intent Application for 486 Chandler Street submitted by Massachusetts State College Building; received January 16, 2013.

Exhibit B: Notice of Intent Submission – Worcester State University, New Housing + Student Dining – Phase 2; prepared by Nitsch Engineering dated January 16, 2013.

Exhibit C: Stormwater Report, prepared by Nitsch Engineering; dated January 16, 2013

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 486 Chandler Street - NOI; dated January 31, 2013.

**2. 595 Mill Street (CC-2013-002) – Notice of Intent:**

Engineer John Kucich of Bohler Engineering appeared on behalf of McDonald’s USA, LLC for its Notice of Intent application. The project proposes to renovate the existing building, construct a side-by-side drive-thru and perform minor parking lot improvements.

Mr. Kucich said the work will reduce 2,000 SF of impervious area, keep curbing intact and utilize inlet fabric as part of its erosion control measures. The trash enclosure will be rebuilt with a three-sided 6’ trex fence and gate. He added that the project will not generate more traffic but instead will move vehicles off-site quicker and reduce queuing. Two catchbasins (one of which will be relocated) located on the northwest corner drain to the property’s south side. Crushed stone will be brought in and no building materials will be stored on site.

Mr. Gervais requested that the plan be revised to provide standard details and an 8” PVC connection for the catchbasin.

Upon a motion by Commissioner Franco and seconded by Commissioner Berg-Powers, the Commission voted 7-0 to issue an Order of Conditions. Discussion regarding issuance of Order of Conditions was held to the end of the meeting.

**List of Exhibits:**

Exhibit A: Notice of Intent Application for 595 Mill Street submitted by McDonald’s USA, LLC; received January 16, 2013.

Exhibit B: Site Development Plans; prepared by Bohler Engineering; dated January 16, 2013.

Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 595 Mill Street - NOI; dated January 31, 2013.

### **3. 662 Burncoat Street (CC-2013-002) – Notice of Intent:**

Dan Bremser of Hancock Associates and Rich Martell of Seven Hills Family Services, Inc. were present to discuss the Notice of Intent application. He said the project proposed to tear down an existing single-family dwelling and construct a five unit group home. He stated that work will be done outside the 100' wetland buffer in the property's rear. However, work will be performed within the buffer to a stormwater protection zone; the total area to be disturbed will be <1,500 SF. Haybales will be placed around the site perimeter to contain runoff. The plans were not changed since last submitted to the Commission for its RDA meeting in December.

Chair Wanat said the project looked minimally invasive and expressed his concern regarding project construction details. Mr. Bremser said there will be a foundation drain and that the roof drain will lead to a collection basin located outside the 100' buffer. He added that the telephone line can be adjusted to retain trees if necessary.

Commissioner Wood inquired about the construction detail for the proposed trench. Mr. Martell said the trench line will be done to investigate and confirm whether a replacement is required.

Mr. Bremser said the parking lot is sized to accommodate service vans and staff.

Commissioner Theerman expressed his concern regarding runoff from the paved areas. He suggested treatment runoff before it discharges into the catchbasin.

Mr. Bremser stated that drainage was not designed because the building is a group home which considered a single-family construction and therefore exempt from stormwater regulations.

Mr. Martell said that the six parking spaces will not be occupied at all times; the number is to accommodate staff shift changes and nurse visits.

Chair Wanat said he believed the applicant had put in good faith effort by installing a roof drain connector to the catchbasin.

Mr. Gervais had no comments.

Environmental consultant Glenn Krevosky said rain gardens were becoming more common with single-family construction.

Upon a motion by Commissioner Franco and seconded by Commissioner McDonald, the Commission voted 7-0 to issue an Order of Conditions. Discussion regarding issuance of Order of Conditions was held to the end of the meeting.

#### **List of Exhibits:**

Exhibit A: Notice of Intent Application for 662 Burncoat Street submitted by Seven Hill Community Services, Inc.; received January 16, 2013.

Exhibit B: Permit Site Plan; prepared by Hancock Associates; dated January 15, 2013.

Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 662 Burncoat Street - NOI; dated January 31, 2013.

#### **Public Meeting**

### **4. Grove Street (CC-2013-004) – Request for Determination of Applicability (RDA):**

Environmental consultant Glenn Krevosky of EBT Consulting appeared on behalf of the applicant C+S Builders for a request for Determination of Applicability Application. The project proposed to move five to eight key stones in a colonial dam boulder field to facilitate upstream trout movement. The dam is located at Ararat Brook aka Ford Brook near Route 122A and the Worcester/Holden line.

Mr. Krevosky said that Chair Wanat and Commissioner Berg-Powers had visited the site along with Richard Hartley and Mark Brodeur from MassWildlife Department of Fish and Game. Mr. Krevosky provided an overview of the project, explaining that it will take approximately 1.5 hours. He said that the goal is to perform the work during the dry season, outside of snowmelt when there is low water flow.

Chair Wanat said he was in receipt of a letter from the Department of Fish and Game. He stated that the stream meanders and will continue to do so despite what is done to the stones. He said that it looked like the stones created an impediment that required fish to jump over.

Commissioner Berg-Powers concurred and said that the brook looked stable on both sides.

Mr. Gervais had no comments.

Upon a motion by Commissioner Wood and seconded by Commissioner Franco, the Commission voted 7-0 to issue a negative determination of applicability.

### **OTHER BUSINESS**

#### **5. Request for Certificate of Compliance – 25 Ellis Drive (CC-2011-064):**

Items #5 & 12 were taken contemporaneously.

Sotirios Georgiadis, applicant, stated that all requested items except for stormwater calculations were submitted to the Commission. Mr. Georgiadis requested an additional 30 days to get the find another engineer as he was unable to get in touch with his engineer, Allen Paige. He asked that the item be continued to the March 11, 2013 meeting.

Ms. McCabe recommended the Commission request the Law Department to pursue the matter.

Chair Wanat was amenable to allowing a continuance to March 11 with an update on February 25.

Upon a motion by Commissioner Franco and seconded by Commissioner Theerman, the Commission voted 7-0 to continue the item to February 25.

#### **List of Exhibits:**

Exhibit A: Request for Certificate of Compliance – 25 Ellis Drive; submitted by Sotirios Georgiadis; received December 3, 2012.

Exhibit B: As Built Topo Plan of 25 Ellis Drive; prepared by Allen F. Paige Consulting Engineering; dated November 14, 2012 and received December 3, 2012.

Exhibit C: Email from Atty. Bachrach to Joel Fontane, Division of Planning & Regulatory Services; dated December 10, 2012.

#### **6. Request for Certificate of Compliance – 500 Salisbury Street (CC-2012-028)**

Upon a motion by Commissioner Berg-Powers and seconded by Commissioner McDonald, the Commission voted 6-0 to issue a Certificate of Compliance (Commissioner Franco was not present for the vote.)

**7. Request for Certificate of Compliance – Putnam Lane & Franklin St, CSX Worcester Terminal Expansion Project (CC-2011-016)**

Upon a motion by Commissioner Wood and seconded by Commissioner Paul, the Commission voted 7-0 to issue a Certificate of Compliance.

**8. Request for Certificate of Compliance – One Innovation Dr (CC-1998-047)**

Items #7-10 were taken contemporaneously.

Engineer David Kelly of Kelly Engineering Group, Inc. appeared on behalf of the three Certificate of Compliance requests. He provided a brief overview of how the Order of Conditions was all associated with 5 Biotech Park. He provided the Commission information describing the parcels affected and said Mr. Krevosky oversaw wetland mitigation at Coal Mine Brook for five years and said Berkshire Design Group has inspected that the projects were built to plan.

Upon a motion by Commissioner Franco and seconded by Commissioner McDonald, the Commission voted 7-0 to issue a Certificate of Compliance for all three requests.

**List of Exhibits:**

Exhibit A: Request for Certificate of Compliance, Order of Conditions 349-487 (CC-1998-047) and 349-613 (CC-1998-070) prepared by Kelly Engineering Group, Inc.; dated and received January 31, 2013.

**9. Request for Certificate of Compliance – Five Biotech Park (CC-1998-070)**

Items #7-10 were taken contemporaneously.

**10. Request for Certificate of Compliance – Coal Mine Brook (CC-1998-099)**

Items #7-10 were taken contemporaneously.

**11. Request for Certificate of Compliance (Duplicate) – 367 Plantation Street (DEP-349-183)**

Ms. Tran said the item was related to the previous three items and has been inspected.

Upon a motion by Commissioner Franco and seconded by Commissioner McDonald, the Commission voted 7-0 to issue a Certificate of Compliance.

**12. Enforcement Order Update – 25 Ellis Drive (CC-EO-2012-004):**

Items #5 & 12 were taken contemporaneously. See above.

**13. Conservation Restriction – Land off Plantation Parkway:**

Ms. McCabe said staff had not yet received a draft of the Conservation Restriction from the Law Department. She requested that the item be continued to the February 25 meeting.

Upon a motion by Commissioner Franco and seconded by Commissioner Berg-Powers, the item was continued to the February 25, 2013 meeting.

**14a-c. Communication Items**

The Commission took no action on the communication items.

**Discussion Item. ALB Infested Trees at 105 Wayside Road**

Chair Wanat updated the Commission regarding the removal of six trees located on Conservation Commission-owned property.

**List of Exhibits:**

Exhibit A: Email from Kathryn Aroian of USDA to Joseph Wanat re: ALB Infested Trees; dated February 2, 2013.

**15. Election of Officers**

Upon a motion by Commissioner McDonald and seconded by Commissioner Franco, the Commission voted 6-0-1 (Commissioner Wanat abstained) to elect Joseph Wanat as Chair of the Commission.

Upon a motion by Commissioner Franco and seconded by Commissioner Berg-Powers, the Commission voted 6-0-1 (Commissioner Wood abstained) to elect Stefanie Wood as Vice-Chair of the Commission.

**ADJOURNMENT**

Upon a motion by Commissioner Franco and seconded by Commissioner Theerman, the Commission voted 6-0 to adjourn the meeting at 7:55 PM.