

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

**Monday August 23, 2021**

Worcester City Hall - Levi Lincoln Chamber, with remote participation options available via Webex online at <https://cow.webex.com/meet/conservationcommissionwebex> and call-in number 415-655-0001 (Access Code: 1609734358).

**Conservation Commissioners Present:** Joseph Charpentier, Chair  
Amanda Amory  
Holly Jones

**Conservation Commissioners Participating Remotely:** Devin Canton, Vice Chair  
Sarah French (arrived late)

**Conservation Commissioners Absent:** None

**Staff Present:** Stefanie Covino, Division of Planning & Regulatory Services (DPRS)

**Staff Participating Remotely:** Michelle Smith, Division of Planning & Regulatory Services

**Call to Order** – Chair Charpentier called the meeting to order at approximately 5:30 PM.

**Requests for Continuances, Extensions, Postponements, and Withdrawals**

**Item 16: 135 Goddard Memorial Drive – Amendment to Order of Conditions (CC- 2021-051; DEP # 349-1259)**  
Request to Leave to Withdraw

On a motion by Commissioner Amory, seconded by Commissioner Canton, the Commission voted 4-0 by a roll call (with Commissioner French absent) to grant the request to withdraw finding that the application requires a new Notice of Intent.

**New Business**

**Item 1 – 69 Delawanda Avenue (CC-2021-047) – Request for Determination of Applicability**

Justin Savage gave an overview of the application involving work approximately 60' from a bordering vegetated wetland and that there will be no stockpiling.

Ms. Covino stated the standard RDA condition requires the project occur in substantial accordance with the plan on file.

Commissioner Canton expressed concerns about protection being needed for the storm-drain inlet located near the driveway with Delawanda Avenue.

Chair Charpentier requested erosion and sediment controls across the driveway when there will be a rain event.

On a motion by Commissioner Amory, seconded by Commissioner Canton, the Commission voted 4-0 by a roll call (with Commissioner French absent) to issue a negative determination of applicability with the condition that erosion and sediment controls shall be installed across the driveway in the event of rain.

### **Item 2 – 82 Salisbury Street & Grove Street Right of Way (CC-2021-047) – Request for Determination of Applicability**

Sammy Walker, on behalf of the Massachusetts Electric Company, participating remotely, reviewed the proposed project scope and activities subject to the act and ordinance triggers for review under both state and local regulations including 80 LF of utility, 20 feet of which is presently vegetated. He anticipated that the work being proposed in the next couple of months and would take a couple of days at most.

On a motion by Commissioner Amory, seconded by Commissioner Canton, the Commission voted 4-0 by a roll call (with Commissioner French absent) to issue a negative determination of applicability.

### **Item 3 – 7 Svea Street (CC-2021-043) – Notice of Intent**

Andrew Baum, from Summit Engineering, participating remotely, provided an overview of the application for construction of a multi-family dwelling and associated parking subject to the city's local ordinance only. He discussed the proposed subsurface stormwater collection including overflow into the city's drainage system via a utility easement at 195 Vernon Street connecting into Vernon Street.

Ms. Jones expressed interest in seeing Low Impact Development and green infrastructure and asked if the applicant considered this in the stormwater design. Mr. Baum indicated that the tight location and topography limits the ability to add such features.

Mr. Charpentier requested details about phasing and timeframe for installation of storm water infrastructure, noting that the lot is currently open and requested a temporary sediment basin. Mr. Baum indicated they can add that in the proposed parking location to the west of where the proposed underground infiltration system is proposed.

Ms. Amory asked about the timeframe for construction and stockpile locations and stabilization before winter. Mr. Baum indicated that they hope to have the foundation in before the winter and that the existing stockpiles would be removed as part of construction.

On a motion by Commissioner Jones, seconded by Commissioner Canton, the Commission voted 4-0 on a roll call (with Commissioner French absent) to close the hearing. On a motion by Commissioner Amory, seconded by Commissioner Canton, the Board voted 4-0 on a roll call (with Commissioner French absent) to issue an order of conditions with all standard conditions and special conditions, including revised plans to include a temporary sediment basin; requiring infiltration after compaction is done; contact information for the party responsible for stormwater management; that the temporary sediment basins be installed before other site work and grading is performed; and that cement truck washout to be more than 30' from any storm drain inlet component.

## **7) 0 aka 668 Burncoat Street (CC-2021-048; DEP# 349-1307) - Notice of Intent**

Scott Morrison, EcoTec, Inc. presented the project subject to both local and state jurisdiction due to the on-site wetlands. The wetland delineations were conducted in November 2018.

Commissioner Canton requested information related to snow storage. Mr. Morrison suggested snow could be stored south of the building on Lot 2 or north of Lot 1.

Commissioner Charpentier asked about the width of the driveway, expressing concerns about the proximity of the work to the wetland and specifically about the drop-off from the edge of the driveway to the resource area as well as the amount of fill needed. He also asked if alternate locations for the driveway were considered. Mr. Morrison approximated that the driveway was 20 feet wide and that the project would involve about 4 feet of fill to re-grade the site from existing grades in order to construct the project.

Ms. Amory asked if the buildings could be re-oriented and asked for clarity on stormwater management. Mr. Morrison suggested that reorientation would expand the impervious area for parking and that grades will drain toward the recharge trench, and there will be a steep slope down to the wetlands from the driveway to prevent encroachment. He noted that an access easement will be in place given the common drive. He indicated that the impervious areas will sheetflow down the driveway and to the recharge trenches for the homes.

Ms. Jones requested information about the sewer pumps proposed. Mr. Morrison indicated that he believed they had excess capacity were there to be a power outage.

Commissioner Charpentier requested a site walk, refreshed wetland flagging, and re-considering the alignment of the driveway, pull away from the wetland, shift structures away from the wetlands and requested that a stormwater report be provided, given future development of lot A-2 will mean 5+ units are proposed.

On a motion by Commissioner Amory, seconded by Commissioner Jones, the board voted 4-0 on a roll call (with Commissioner French absent) to continue the hearing to September 13, 2021 to allow for a site walk to be conducted.

Commissioner French joined the meeting remotely.

## **8) 500 Salisbury Street (CC-2021-049; DEP # 349-1308) - NOI**

Ms. Megan Buczynski of Activitas presented the proposed project which involves the construction of a synthetic turf field, within the buffer to a bordering vegetated wetland and work within the stormwater protection zone. She reviewed that a portion of the drain line will be located within the 30 foot buffer, with the flared end being proposed just at the 15' buffer in order to ensure elevations work given the nature of the site topography. The field is underlain with a foot of free-draining material that drains a minimum of 12" per hour, but the approach to the design modeled D soils conservatively. She indicated that the existing flared end was at the edge of the wetland today.

Ms. Jones asked about an operation and maintenance (O&M) plan for the project and she also noted that aqueous ammonia would be proposed for painting the turf field within the proposed O&M. Ms. Buczynski

noted that that was standard for removal of paint from synthetic turf, but it would not be required for this turf field. She also noted the flared end section of drainage would require maintenance annually, with stonedust proposed below, so there's nothing to clog it up – cleanouts are located on the edges and jet out from the clean-outs to drain the 12" line.

Mr. Charpentier asked how much it will affect the grades to pull the structure out of the 30 buffer and expressed concerns about the proximity of the outlet to the wetlands and indicated he'd like to see that line pulled back to the edge of the 30' buffer. Ms. Buczynski indicated the line would need to be bigger and the grades would get steeper to pull that back out of the buffer, and that work will still need to be done in that area in order to conduct this change. She indicated that the design proposed was partially in order to keep both drain lines close to increase ease of maintenance. However, she indicated that she can make the revisions as a condition and submit the plans prior to construction.

On a motion by Commissioner Amory, seconded by Commissioner Canton, the Commission voted 5-0 by roll call to close the hearing. On a motion by Commissioner Amory, seconded by Commissioner Canton, the Board voted 5-0 by roll call to issue an order of conditions with all standard conditions and special conditions additionally including #24 for wetland flagging; #25 revised plans to reflect the structure outside of the 30' buffer; #35 for demarcation of limit of work with orange snow fence; #49A to not bring in invasive materials; #52 cement truck washout not to be within 30' of a catch-basin or wetland; #53 that no materials or equipment shall enter the wetland; #55 providing copies of the SWPPP reporting, including photos of the 15' buffer after rain events; #58 for grassed areas within the buffer to use fertilizer only minimally for establishment of vegetation; and #64 to perpetually prohibit the use of herbicides, pesticides, and ammonia for paint removal.

## **Other Business**

### **7) Project Change Requests**

#### **a. 305 Belmont Street aka WuXi (CC-2019-063; DEP# 249-1259)**

Mark Borenstein for WuXi Biologics, LLC, participating remotely, reviewed project history and intent to reconcile with site plan amendment to allow for facility expansion and including that the limit of work is really unchanged summarizing the proposed modifications.

Commissioner Charpentier requested information about the change in direction of stormwater flow from the combined to the surface system, in response to the DPW comments issued for the project. Mr. Borenstein summarized that there is an increase in the volume of water directed toward the surface system in Hospital/Reactory Drive compared to the prior approved plans. Joe Weed, P.E., PARE Corporation, also participating remotely, summarized the use of the subsurface infrastructure to mitigate those flows in peak conditions but to increase the volume of water directed to the surface system.

On a motion by Commissioner Amory, seconded by Commissioner Canton, the Commission voted 5-0 by roll call to find the proposed project change to be inconsequential and accept the revised plan as the plan of record.

### **8) Malden Woods Subdivision – Security**

Ms. Covino explained the reason for the need to set the surety amount and have the Commission vote to set the security amount. The type/form is to be determined, but that the amount is of interest to discuss. DPW initially recommended and suggested \$1/SF. DPRS thought this amount was high and obtained quotes for hydroseed (up to \$0.18). Mr. Covino noted that DPRS used the entire open area and \$.20/SF and installation of the replication area to install and monitor the replication area. DPRS suggested \$50,000 based on the quotes obtained by staff. Ms. Covino indicated that we rarely if ever call a bond, and that the city generally works with the developer to complete the project.

Jack Thomas indicated that he recently spoke with DPW who suggested a \$20,000 bond amount. Mr. Thomas suggested that the \$1/SF price was extremely high and that sod can be installed for less than \$1/SF. He provided quotes from Transit Seeding at \$0.12/SF for a geo-perm (bonded fiber matrix) and noted that for the largest phase at 110,000 SF. He expressed concerns that the amount is high given that the project is phased and unlikely to be opened. He suggested that because units will be held back for construction, unable to be built upon, and thus help secure the crossing and wetland replication work. Mr. Thomas summarized that the DPW Engineering subsequently suggested on Friday 8/20 that a \$20,000 bond would be appropriate for the Commission and would adequately cover the costs to hydroseed a limited area, clean storm-drain inlets, and sweep the street. Mr. Thomas suggested that 16 lots can't be released until phase 3 (i.e. wetland crossing) is completed.

Ms. Amory suggested \$32,500 and that it seemed like a reasonable/compromise and noted that she wanted adequate funds should there be a need to clean-up.

Mr. Charpentier expressed that he was happy to reduce the amount below the staff suggested \$50,000 and indicated that \$30,000 should cover the cost for stabilizing about half of the site.

On a motion by Commissioner Jones, seconded by Commissioner Amory, the Commission voted 5-0 by roll call to set the amount of surety at \$30,000 for the Malden Woods Subdivision.

## **9 - Request for Certificates of Compliance**

### **a. Burncoat Heights (CC-2016-070; CC-EO-2019-001)**

Ms. Covino noted that staff was still working with the engineer and developer to obtain certification that the work was performed in substantial compliance with the approved plans.

### **b. 4 Gaylord Street (CC-2019-037)**

Ms. Covino noted that this site was mostly complete, but the driveway had not yet been paved, but was scheduled to be completed on 8/24/21.

### **c. 668 Burncoat Street (CC-2019-054; DEP#349-1255)**

Ms. Covino noted that this project required additional permanent markers and to provide verification that no grading was conducted beyond the approved limit of work.

On a motion by Commissioner Amory, seconded by Commissioner Jones, the Commission voted 5-0 by roll call to continue items a-c to 9/13/2021.

### **d. 0 Aldena Road (FKA 1511 Main Street) (CC-2006-018; DEP#349-881)**

Ms. Covino noted that the Order had expired and that no work had occurred on the two lots (both 0 Aldena). The applicant was seeking a partial release for those two lots.

On a motion by Commissioner Amory, seconded by Commissioner Jones, the Commission voted 5-0 by roll call to issue a partial Certificate of Compliance.

## **10 – Enforcement Order Updates**

### **j. Modoc Street Subdivision (CC-EO-2021-001)**

Ms. Covino noted the status of the project, meeting to review the site with the project engineer, Carlos Quintal, with the intent to provide a revised enforcement order for the next meeting.

### **n. 1087-1089 Millbury Street and 18 Leland Street (CC-EO-2021-006)**

Ms. Covino reviewed the state of construction and issues associated with site work from 2 duplexes, including direct impacts to the catch basin on Millbury Street as well as work performed without an Order of Conditions. She noted that the applicant had submitted an incomplete Notice of Intent that day in response to the enforcement order, but it was unclear what the proposed scope of work would be. Ms. Covino requested the commission ratify the enforcement order.

On a motion by Commissioner Amory, seconded by Commissioner Jones, the Commission voted 5-0 by roll call to ratify the Enforcement Order.

There was no discussion of items 1-h or items k-m.

## **11 – Communications**

There were no comments or discussion.

## **12 – Policies and Procedures**

Ms. Smith and the Commission gave praise and thanked Ms. Covino for her service to the City.

## **Adjournment**

On a motion by Commissioner Amory, seconded by Commissioner Jones, the Commission voted 5-0 by roll call to adjourn at 7:29PM.