



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

Monday January 8, 2024

Worcester City Hall – Levi Lincoln Chamber,
with remote participation options available via WebEx online at
<https://cityofworchester.webex.com/meet/conservationcommissionwebex> and
call-in number 1-844-621-3956 (Access Code: 2631 737 2697).

Commissioners Present: Joseph Charpentier, Chair
Devin Canton, Vice Chair
Timothy Magliaro, Commissioner
Lindsay Nystrom, Commissioner
Andrew Truman, Commissioner
Stuart Kirshner, Commissioner

Commissioners Absent: None

Staff Present: Eric Flint, Division of Planning & Regulatory Services (DPRS)
Olivia Holden, Division of Planning & Regulatory Services (DPRS), *Participated remotely*

Call to Order

Chair Charpentier called the meeting to order at approximately 5:37 p.m.

Requests for Continuances, Postponements and Withdrawals

- 2) 50 Lafayette Street (aka 2A & 2B Lodi Street) – Notice of Intent (CC-2023-072 & DEP#349-13XX)**
Request to Postpone to 1/29/2024
Request to Extend the Constructive Grant Deadline to 2/27/2024
- 3) 1256 West Boylston Street – Notice of Intent (CC-2023-076 & DEP#349-1379)**
Request to Postpone to 1/29/2024
Request to Extend the Constructive Grant Deadline to 2/27/2024
- 4) 265 Lake Avenue – Notice of Intent (CC-2023-055 & DEP#349-1373)**
Request to Postpone to 1/29/2024
Request to Extend the Constructive Grant Deadline to 2/27/2024

- 5) **116 Northeast Cutoff – Notice of Intent (CC-2023-068 & DEP#349-1378)**
Request to Postpone to 1/29/2024
Request to Extend the Constructive Grant Deadline to 2/27/2024
- 6) **214 Hamilton Street – Notice of Intent (CC-2023-078)**
Request to Postpone to 1/29/2024
Request to Extend the Constructive Grant Deadline to 2/27/2024
- 8) **Salisbury Street Right-of-Way and 633, 646, & 655 Salisbury Street – Notice of Intent (CC-2023-081 & DEP#349-13XX)**
Request to Postpone to 1/29/2024
Request to Extend the Constructive Grant Deadline to 2/27/2024
- 10) **357 Granite Street – Notice of Intent (CC-2024-002 & DEP#349-13XX)**
Request to Postpone to 1/29/2024
Request to Extend the Constructive Grant Deadline to 2/27/2024

Mr. Flint read the requests for continuances, postponements, and withdrawals into the record.

Upon a motion by Commissioner Canton, Seconded by Commissioner Magliaro the Commission voted 6-0 to postpone the public hearings and extend the constructive grant deadlines to the dates noted.

New Business – Requests for Determination of Applicability

1) 525 Lincoln Street (CC-2024-003)

Anthony Damiano (participating remotely) of GZA GeoEnvironmental, on behalf of the applicant, Massachusetts Electric Company, stated this electrical distribution project takes place to the south of Lincoln Plaza. The applicant is seeking a negative determination for work within 100’ of Coal Mine Brook. The work will consist of the installation of 1 utility pole between existing poles on an existing distribution line that travels along Lincoln Street. The work will be done with a bucket truck from the Lincoln Plaza parking lot with minimal ground disturbance and is approximately 60’-70’ from an intermittent stream.

Commissioner Magliaro asked if they will excavate with an auger; Mr. Damiano stated that is correct.

Commissioner Magliaro asked what they will do with the excess soil; Mr. Damiano stated they will backfill and take any excess off site.

Commissioner Magliaro asked if the site will be stabilized; Mr. Damiano stated they will if necessary.

No public Comment.

Upon a motion by Commissioner Canton, Seconded by Commissioner Nystrom the Commission voted 6-0 to issue Negative Determination of Applicability.

List of Exhibits:

Exhibit A: RDA Application, dated 12/20/2023, prepared by GZA GeoEnvironmental, INC.

New Business – Notices of Intent

7) 15 Endicott Street (CC-2023-079 & DEP#349-1382)

No representative present for the meeting.

No discussion amongst the Commission.

Upon a motion by Commissioner Magliaro, Seconded by Commissioner Truman the Commission voted 6-0 to postpone the hearing to the 1/29/24 meeting.

9) 204 Granite Street, 414R & 504R Massasoit Road, 1065 Millbury Street, and 253 Providence Street (aka the M165 Transmission Line) – Notice of Intent (CC-2024-001 & DEP#349-13XX)

Gregory Russo of TRC Companies, on behalf of the applicant, New England Power Company, described the location of the project and explained the work will include line maintenance, structure replacement, and timber matting in the resource area. They are still awaiting a DEP # but would like to have a discussion with the Commission while they await.

Commissioner Canton asked for information regarding access to the structures to be replaced, specifically 59 & 58 and 57 & 56; Mr. Russo stated 59 & 58 are in upland area with access from either Granite Street along the existing access road or from the high school at the top of hill. 57 & 56 will also be accessed via Granite Street. The existing access there is within the 25' and the 30' buffer but does not require any improvements, they only need to use it for access.

Chair Charpentier asked if this a continuation from soil boring efforts that took place last year; Erin Whoriskey Cahill of National Grid (participating remotely) stated it is but it is a separate project.

Chair Charpentier asked about timelines for completion of work; Ms. Whoriskey Cahill stated the City approvals took longer to obtain than they anticipated but at this point, they are just waiting for appropriate weather.

Mr. Flint added clarity on the timeline and where it stands with the City.

Chair Charpentier noted issues with crews navigating timber mat crossing and wants to understand how it's going to be used and what impacts it has.

Chair Charpentier asked about staging areas on the plans; Mr. Russo stated these are the pole pads; Ms. Whoriskey Cahill the pole pads are placed in certain areas due to the angle of the line and specific safety and code requirements that must be followed.

Chair Charpentier asked about the duration of work; Mr. Russo stated it will take place from February to October.

Mr. Flint asked about the process to restore the BVW areas after the timber matting is removed and how that differs from stabilization in upland areas; Mr. Russo stated when timber mats are removed and stabilization is needed, they will use straw and a seed mix to restore. Mr. Russo added that the mats typically allow vegetation to come back naturally without much intervention.

No public Comment.

Upon a motion by Commissioner Canton, Seconded by Commissioner Magliaro the Commission voted 6-0 to continue the meeting to the 1/29/23 meeting.

List of Exhibits:

- Exhibit A: NOI Application; dated 12/20/2023; prepared TRC Environmental Corporation
- Exhibit B: M165 Line Plan; dated 04/01/2022; prepared by TRC Environmental Corporation

Chair Charpentier called a 5-minute recess at 6:09pm.

Chair Charpentier called the meeting back to order at 6:14pm.

Other Business

11) Requests for Certificates of Compliance

a. 248 Mill Street (CC-2022-020 & DEP#349-1323)

Mr. Flint stated this was before the Commission about 2 months ago. Presence of riprap in the BVW was noted, the applicant has removed the riprap and provided a revised as-built site plan and restoration report.

Upon a motion by Commissioner Canton, Seconded by Commissioner Magliaro, the Commission voted 6-0 to issue the Certificate of Compliance.

List of Exhibits:

- Exhibit A: COC Request; dated 09/08/2023; prepared CMG Environmental Services
- Exhibit B: As Built Plan; revised 12/15/2023; prepared by Existing Grade Inc.
- Exhibit C: Field Report; dated 12/14/2023; prepared by CMG Environmental Services
- Exhibit D: Elevation Certificate; revised 10/05/2023; prepared by Existing Grade Inc.

b. 616 Plantation Street (CC-2022-003 & DEP#349-1313)

Mr. Flint stated this was issued in 2022 for construction of Coal Mine Brook Park. The as-built plan was in line with what was approved. Mr. Flint noted some area by the observation deck that did not appear to be 100% stabilized. He did not note any erosion on the hillside but there was not much vegetation as far as he could tell.

Chair Charpentier stated the area was not vegetated before; Mr. Flint ask if they would like to condition removing the erosion controls along the river and cut the straw out of the waddles on the hillside as an additional erosion control measure prior to issuing the COC; Chair Charpentier stated that would be nice.

Upon a motion by Commissioner Truman, Seconded by Commissioner Magliaro, the Commission voted 6-0 to issue the Certificate of Compliance.

List of Exhibits:

- Exhibit A: COC Request; dated 12/11/2023; prepared by Beals and Thomas, INC.
- Exhibit B: As Built Plan; dated 06/21/2023; prepared by Beals and Thomas, INC.

12) Enforcement Order and Violation Updates

- a. 99 Wildwood Avenue (CC-EO-2020-009)
- b. 166 Moreland Street (CC-EO-2020-011)
- c. 522 Grove Street (CC-EO-2020-014)
- d. 0 Myrick Avenue (CC-EO-2020-015)
- e. 75 Harrington Way (CC-EO-2021-003)
- f. 40 June Street Terrace (CC-EO-2021-004)
- g. 12 AKA 0 Balis Avenue (CC-EO-2021-005)
- h. 269 James Street (CC-EO-2021-007)
- i. 90 AKA 100 Camelot Street AKA Farber Field (CC-EO-2021-008)
- j. 70 North Parkway AKA Burncoat Park (CC-EO-2022-002)
- k. 3 Aster Place (CC-EO-2022-005)
- l. Hospital Drive ROW (CC-EO-2022-006)
- m. 215 Lake Avenue (CC-EO-2022-007)
- n. 4 Tiffany Avenue (CC-EO-2023-001)
- o. 0 Mcavey Way & 1393 Grafton Street (CC-EO-2023-003)
- p. 265 Lake Avenue (CC-EO-2023-006)
- q. 133 Granite Street (CC-EO-2023-007)
- r. 0 Harrington Way (CC-EO-2023-009)
- s. 570 Lincoln Street (CC-EO-2023-010)

There was no discussion of items 12 a-s.

13) Communications

There was no discussion of item 13.

14) Approval of Minutes

There was no discussion of item 14.

15) Officer Elections & Liaison Appointments

Mr. Flint stated the Commission needs to elect the Commission Chair and Vice Chair for the year and that they should make this an annual practice going forward to allow members the opportunity to step up or down on a more regular basis. The Commission also need to take a vote to elect liaisons to the Community Preservation Committee and the Lake Quinsigamond Commission.

Upon a motion by Commissioner Charpentier, Seconded by Commissioner Magliaro, the Commission voted 6-0 to elect Andrew Truman as Chair of the Conservation Commission.

Upon a motion by Commissioner Magliaro, Seconded by Commissioner Truman, the Commission voted 6-0 to elect Devin Canton as Vice Chair of the Conservation Commission.

Upon a motion by Commissioner Charpentier, Seconded by Commissioner Canton, the Commission voted 6-0 to elect Timothy Magliaro as liaison to the Community Preservation Committee.

Upon a motion by Commissioner Canton, Seconded by Commissioner Kirshner, the Commission voted 6-0 to elect Andrew Truman as liaison to the Lake Quinsigamond Commission.

16) Open Space Discussion

Mr. Flint gave an update on City Council's vote to approve recent land transfers.

17) Policies and Procedures

Commissioner Truman stated the bylaw for work within 100' of a catch basin is costly to homeowners and seems excessive at times when considering scope of work; Mr. Flint stated DPRS is currently in the process of interviewing to hire a second full time conservation agent and with the additional resources they can work on things like petitioning to City Council to amend the City Ordinance.

The Commission discussed housekeeping items.

Adjournment

Upon a motion by Commissioner Magliaro, seconded by Commissioner Canton, the Commission unanimously voted to adjourn at approximately 6:40 PM.