

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

December 9, 2013

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Conservation Commission Members Present: Stefanie Wood, Chair
Jeremy Theerman
Paul Franco
Jack Donahue
Joseph Charpentier
Jordan Berg Powers

Staff Present: Chris Gagne, Department of Public Works & Parks (DPW&P)
Nancy Tran, Division of Planning & Regulatory Services
Meagen Donoghue, Economic Development Department

CALL TO ORDER

The Chair called the meeting to order at 5:31 pm.

APPROVAL OF THE MINUTES

The minutes for November 18, 2013 were held.

**REQUESTS FOR CONTINUANCES, EXTENSIONS OF TIME, POSTPONEMENTS,
WITHDRAWALS**

The Commission was amenable to the applicant's request to postpone Toronita Area Storm Drain & Sewer Improvements (CC-2013-056) to the January 6 meeting.

The Commission added an additional item under Other Business – signatures for a L.A.N.D grant supported by the Commission in July 2013.

NEW BUSINESS

1. 1280-1284 Main Street (CC-2013-054) – Notice of Intent

Engineer Larry Greene from Thompson-Liston Associates appeared on behalf of Edward Saloom of Saloom Realty Corporation for a Notice of Intent. The applicant proposed construction of a 28-space parking lot at 1280-1284 Main Street, associated grading, drainage improvements and site work. Mr. Greene said there will be minimal grading and restriping for three spaces on the adjacent parcel at 1280 Main Street which has 21 existing parking spaces. He noted that there had been two minor changes to the project since application filing – the proposed guard rail changed from timber to steel, and since filing, a small piece of land at 1280 had been acquired.

Mr. Greene said new equipment would be implemented to provide drainage and withhold a two-year storm. He stated that impervious areas between the two lots will increase and there will be snow storage on site.

Mr. Gagne requested for a stormwater checklist and asked for more information about the impervious areas.

Mr. Greene was amenable to providing the checklist and revised calculations.

Upon a motion by Commissioner Franco and seconded by Commissioner Theerman, the Commission voted 6-0 to close the public hearing.

Discussion regarding issuance of Order of Conditions for both was held to the end of the meeting.

List of Exhibits:

- Exhibit A: Notice of Intent Application for 1280-1284 Main Street submitted by Saloom Realty Corporation; received November 19, 2013.
- Exhibit B: Drainage Calculations for 1280-1284 Main Street; prepared by Thompson-Liston Associates, Inc.; dated August 27, 2013; received November 19, 2013.
- Exhibit C: Parking Lot Layout Plan for 1280-1284 Main Street; prepared by Thompson-Liston Associates, Inc.; dated November 18, 2013; received November 19, 2013.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 1280-1284 Main Street – NOI-CC-2013-054; dated December 6, 2013.

2. 2 & 6 Carver Street (CC-2013-055)

Engineer Maureen Finlay of Summit Engineering appeared on behalf of William Dowell for a Notice of Intent filing. The applicant proposed construction of a 12-unit multi-family residential dwelling with 24 off-street parking spaces, a recreational grassed area, grading and associated site work and utilities.

Ms. Finlay outlined two proposed systems for drainage and snow removal.

Mr. Gagne previously spoke with Ms. Finlay about providing drawings, calculations and treatment devices for the site.

Ms. Finlay provided the Commission a copy of the revised responded by providing copies of new calculations.

Chair Wood asked if there was concern if the unit was not appropriate, to which Mr. Gagne stated there was no concern and that he is satisfied with what was provided.

Ms. Finlay said that there are currently no plantings but that the project proposes additional future plantings.

Upon a motion by Commissioner Franco and seconded by Commissioner Berg Powers, the Commission voted 6-0 to close the public hearing.

Discussion regarding issuance of Order of Conditions for both was held to the end of the meeting.

List of Exhibits:

- Exhibit A: Notice of Intent Application for 2 & 6 Carver Street submitted by William Dowell; received November 20, 2013

- Exhibit B: Drainage Analysis for #2 & #6 Carver Street; prepared by Hydroworks, LLC; dated November 20, 2013; received November 21, 2013.
- Exhibit C: Proposed Site Plan & Parking Plan for #2 & #6 Carver Street; prepared by Summit Engineering & Survey, Inc.; dated November 7, 2013, last revised November 20; received November 20, 2013.
- Exhibit D: Technical Submission for #2 & #6 Carver Street for #2 & #6 Street; prepared by Thompson-Liston Associates, Inc.; dated November 18, 2013; received November 19, 2013.
- Exhibit E: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 2 & 6 Carver Street – NOI-CC-2013-055; dated December 6, 2013.
- Exhibit F: Separator Design for #2 & #6 Carver Street, Worcester, MA with Drainage Diagram and Calculations; prepared by Graham Bryant, Hydroworks, LLC; dated and received December 9, 2013.

3. 72 Goldthwaite Road – Burncoat Gardens Phase I & V (CC-2013-057) – Notice of Intent

Engineer Chuck Scott of CFS Engineering and environmental scientist Glenn Krevosky of EBT Environmental appeared on the behalf of the applicant, Goldthwaite Holdings, LLC for a Notice of Intent. The applicant proposed to construct three private driveways to build 70 single-family detached homes with associated grading, stormwater management system, site work and utilities at 72 Goldthwaite Road (Burncoat Gardens, Phase I & V). The applicant also proposed a new residential drive (Cameron Way) and road extensions (Goldthwaite Road and Hillsboro Road).

Mr. Scott addressed the areas that would affect the area's wetlands under the Wetlands Protection Act. He and Mr. Krevosky provided more information about the planned replication area on site.

Chair Wood recommended conducting a site walk to better understand the proposed project. Mr. Scott was amenable to the site walk and requested a continuance for January 6th and also asked for the Commission to offer any other questions or concerns that they may have for the project.

Mr. Scott provided clarification about work within the 30 ft. buffer zone and stated that the curbing and streets would be to city standards. He added that landscaping will be maintained by a homeowners association because the development is within one lot.

Commissioner Berg Powers suggested providing defined permanent markings to make residents aware resource areas, to which Mr. Scott replied that he will present options to the Commission at the following meeting.

Commissioner Donahue asked for a stormwater report. Mr. Scott said he could provide electronic copies to staff to forward to the Commission.

Commissioner Donohue also expressed concern about the amount of clear cutting, whether in phases or as a whole. Mr. Scott stated by the nature of the project, the entire area would be clear cut all at once, but done in regions. He then introduced Michael Kent, one of the holders of Goldthwaite Holdings, Inc. who said that all trees will need to be cut down because the area is affected by Asian Longhorn Beetle.

Commissioner Charpentier asked about the differences in drainage for the shared driveways rather than those in a public way. Mr. Scott responded that the project will follow the subdivision rules and regulations for design to hand a 25 -year storm.

Mr. Gagne explained that the will follow all subdivision rules and regulations for utilities such as sewer, water, drain, catch basins, and manholes. The roadway itself will be to city standards but treated as driveway and maintained the owner.

Mr. Scott said runoff would runoff will be directed to detention basins and showed their locations.

City Councilor Anthony Economou expressed concern with clear-cutting based on personal experience of the developer's previous project near the his home in Indian Hill. He asked how the runoff will be handled as the area was steep. He requested permission to attend the site walk with the Commission.

Mr. Kent said he was amenable to having Councilor Economou attend the site walk and then explained the unique issues encountered with the Indian Hill development – particularly with respect to soils.

Chair Wood noted that each development is different and that the current project should be considered on its own.

Counselor Economou stated that while both projects were different, the end result should be considered especially due to the challenge of constructing on steep land.

Upon a motion by Commissioner Charpentier and seconded by Commissioner Berg Powers, the Commission voted 6-0 to continue the item to January 6 following a scheduled site walk.

List of Exhibits:

- Exhibit A: Notice of Intent Application for Burncoat Gardens, Phase I &V submitted by Goldthwaite Holdings, LLC; received November 20, 2013.
- Exhibit B: Drainage Calculations Phase I to Phase V; prepared by CFS Engineering; dated November 23, 2013; received November 20, 2013.
- Exhibit C: Plans for Burncoat Gardens, Phase V – A Cluster Group, Goldthwaite Road – Assessor's Map 19, Block 026, Parcel 0000A & Assessor's Map 39, Block 020, Parcel 2-6 & 7-11; prepared by CFS Engineering; dated October 23, 2013; received November 20, 2013.
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: Burncoat Gardens Phase V – NOI-CC-2013-059; dated December 9, 2013.

4. 74 Bay Edge Drive (CC-2013-058) – Notice of Intent

Engineer John Grenier of J.M. Grenier Associates appeared on behalf of Jon Flanagan for a Notice of Intent for a retroactive filing for the construction of a ~ 100 foot dock based on the Wetlands Protection Act and the City's Wetlands Protection Ordinance.

Chair Wood clarified the difference between decks and docks said that both are subject to the Wetlands Protection Act.

Mr. Grenier stated that there the structure was not embedded within the lake but rather supported with posts.

Commissioner Franco asked whether there were any impacts to the resource area due to debris and erosion, to which Mr. Grenier replied no.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Franco, the Commission voted 6-0 to close the public hearing.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Franco, the Commission voted 6-0 to refund the fee submitted for the Request for Determination of Applicability (CC-2013-044).

List of Exhibits:

Exhibit A: Notice of Intent Application for 74 Bay Edge Drive submitted by Jon Flanagan; received November 22, 2013.

Exhibit B: Notice of Intent Plan for 74 Bay Edge Drive; prepared by J.M. Grenier Associates, Inc.; dated November 19, 2013; received November 22, 2013.

Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 74 Bay Edge Drive – NOI-CC-2013-058; dated December 6, 2013.

5. Enforcement Order Update – Arboretum Village Estates (CC-EO-2013-003)

The Commission tabled the item until further updates are received.

6. Enforcement Order Update – 235 Hamilton Street (CC-2013-005)

Commissioner Wood recused herself from discussing the item and Commissioner Theerman assumed Chair of the Commission.

Mr. Gagne said he spoke with the contractors but the issue has not yet been resolved. He said the project is not within the Commission's jurisdiction because it did not trigger review under the Wetlands Protection Act or City's Wetlands Protection Ordinance. He told the Commission it can only issue an Enforcement Order because it was causing erosion and sedimentation issues in the public roadway. He added that he will provide updates to the Commission at its January 6 meeting.

7. 722 Plantation Street (CC-2006-082) – Certificate of Compliance

Mr. Gagne said the work had been completed and there were no issues.

Upon a motion by Commissioner Franco and seconded by Commissioner Berg Powers, the Commission voted 6-0 to issue a Certificate of Compliance for 722 Plantation Street.

List of Exhibits:

Exhibit A: Application for Certificate of Compliance for 722 Plantation Street submitted by 722 Plantation, LLC; received November 13, 2013.

8. 6 Quaker Road (DEP-349-365) – Certificate of Compliance

Mr. Gagne said the work had been completed and there were no issues.

Upon a motion by Commissioner Franco and seconded by Commissioner Berg Powers, the Commission voted 6-0 to issue a Certificate of Compliance for 6 Quaker Road.

List of Exhibits:

Exhibit A: Application for Certificate of Compliance for 6 Quaker Road submitted by Mark Twombly Lee, Esq.; received November 19, 2013.

9. 140 Goddard Memorial Drive (CC-2013-033) – Certificate of Compliance

Mr. Gagne said the work had been completed and there were no issues.

Upon a motion by Commissioner Franco and seconded by Commissioner Berg Powers, the Commission voted 6-0 to issue a Certificate of Compliance 140 Goddard Memorial Drive.

List of Exhibits:

Exhibit A: Application for Certificate of Compliance for 140 Goddard Memorial Drive submitted by 140 Goddard Memorial Drive LLC; received November 19, 2013.

10. Communication Received:

- a. From Massachusetts Association of Conservation Commissions re: MACC dues amount for FY15; dated November 9, 2013 and received November 14, 2013.

The Commission review the communication received but took no action on it.

11. Signing of Decisions

- 1280-1284 Main Street (CC-2013-054) – Notice of Intent.
- 2 & 6 Carver Street (CC-2013-055) – Notice of Intent
- 74 Bay Edge Drive (CC-2013-058) – Notice of Intent
- 722 Plantation Street (CC-2006-082) – Certificate of Compliance
- 6 Quaker Road (DEP-349-365) – Certificate of Compliance
- 140 Goddard Memorial Drive (CC-2013-033) – Certificate of Compliance
- Ecotarium West – LAND Project Agreement

OTHER

Commissioner Franco stated he submitted a letter of resignation to City Manager and that he would not return the following year.

ADJOURNMENT

Upon a motion by Commissioner Franco and seconded by Commissioner Berg Powers the Commission voted unanimously to adjourn the meeting.