

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

**December 17, 2012**

**WORCESTER CITY HALL – LEVI LINCOLN ROOM**

**Conservation Commission Members Present:**

Joseph Wanat, Chair  
Stefanie Wood – Vice-Chair  
Jeremy Theerman  
John Donahue  
Mia McDonald  
Jordan Berg-Powers

**Staff Present:**

Nancy Tran, Division of Planning & Regulatory Services  
Abigail McCabe, Division of Planning & Regulatory Services

**CALL TO ORDER:** The Chair called the meeting to order at 5:35 pm.

**UNFINISHED BUSINESS**

**Public Meeting**

**1. 662 Burncoat Street (CC-2012-051) – Request for Determination of Applicability (RDA):**

Dan Bremser of Hancock Associates and Rick Neckes were present to continue discussion of the proposal from the previous meeting. Revised plans and a letter to the Commission from the applicant's attorney regarding the definition of the proposed group home use was submitted to the Commission.

Commissioner Wanat stated that he was leaning towards the local NOI filing because of the amount of disturbance, dumpster, parking and overall amount of new impervious surface.

Commissioner McDonald asked the applicant how the site would change if they had to file an NOI. Mr. Bremser responded that there would be little to no change with respect to drainage and the plan. He added that the submitted plan sought to minimize work within the buffer zone and said he interpreted that a local NOI is not necessary since the 10,000 SF of disturbance is mostly outside the buffer. Commissioner McDonald also stated that she would like to see drainage calculations.

Commissioner Wood noted that it was the Commission's discretion as to the impacts and whether they felt a NOI would be necessary and that she thought an NOI was needed but filed as a residential filing for the work within 100 ft of the wetland buffer.

Commissioner Donahue stated that he thought a negative determination with conditions might be possible.

Commissioner Theerman stated that he believed the project falls under the Commission's jurisdiction and that an NOI is needed.

Ms. McCabe stated that DPRS provided a memorandum to the applicant and the Commission before the meeting that stated that DPRS believes the proposed project is subject to the City's Wetlands Protection Ordinance because the entire project is considered in its entirety and not just the work within 100 ft of the catch basin.

Upon a motion by Commissioner Theerman and seconded by Commissioner Wood the Commission voted 4-1-1 (Mia McDonald voted against, Berg-Powers abstained) to issue a positive determination of applicability.

**List of Exhibits:**

Exhibit A: Request for Determination of Applicability application for 662 Burncoat Street; submitted by Seven Hills Family Services Inc; received November 7, 2012.

Exhibit B: Permit Site Plan; prepared by Hancock Associates; dated October 31, 2012

Exhibit C: Existing Conditions Plan; prepared by Hancock Associates; dated October 31, 2012

Exhibit D: Memorandum from Abby McCabe and Nancy Tran to Joseph Wanat, Chair Conservation Commission; re: 662 Burncoat Street (CC-2012-051) dated December 17, 2012.

Exhibit E: Memorandum from Department of Public Works to Conservation Commission; re: 662 Burncoat Street - RDA; dated December 3, 2012.

Exhibit F: Letter from Lucille B. Brennan of Fletcher Tilton to City of Worcester Conservation Commission; re: 662 Burncoat Street (CC-2012-051) Applicant: Seven Hills Family Services, Inc.; dated December 11, 2012.

Exhibit G: Revised Permit Plan; prepared by Hancock Associates; dated December 14, 2012.

**OTHER BUSINESS**

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

Staff requested that this item be continued to the January 14, 2013 meeting to allow the applicant to provide the requested information. Additional information having to do with the amount of volume of area filled for the construction of the house and pool, and the volume of the area excavated that provides the required compensation for the flood area was requested by staff before the Commission should make a determination on compliance.

Upon a motion by Commissioner Berg-Powers and seconded by Commissioner McDonald, the Commission voted 6-0 to continue this item to the January 14, 2012 meeting.

**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; prepared by Allen F. Paige Consulting Engineering; received December 3, 2012

Exhibit C: Electronic Communication from Joel Fontane to Atty. Barry Bachrach; re: 25 Ellis Drive COC; dated December 10, 2012.

### **3. Request for Certificate of Compliance– Chester Street (CC-2011-006):**

Ms. McCabe stated that the property had no issues and that work had been completed.

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

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

Exhibit A: Request for Certificate of Compliance – Chester Street; submitted by Aiman Contracting; received December 4, 2012.

### **4. Request for Certificate of Compliance – 3 Knollwood Drive (DEP-349-333)**

Ms. McCabe stated that the work had been completed and there were no issues.

Upon a motion by Commissioner Wood and seconded by Commissioner McDonald, the Commission voted 6-0 to issue a Certificate of Compliance.

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

Exhibit A: Request for Certificate of Compliance – 3 Knollwood Drive; submitted by Jeanne and Mel Pelletz; received December 10, 2012.

### **5. Request for Certificate of Compliance – Flagg Pond (DEP-349-450)**

Ms. McCabe stated that there were no issues.

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

**List of Exhibits:** Request for Certificate of Compliance – Flagg Pond; submitted by Jeanne and Mel Pelletz; received December 10, 2012.

### **6. Enforcement Order Update – 25 Ellis Drive (CC-E0-2012-004)**

This item was continued to the January 14, 2013 meeting.

### **7. Communication Item**

#### **a. re: Minor Deviation of Order of Conditions (DEP #300-1012) from BSC Group; dated November 30, 2012.**

Erin Jacques, GIS coordinator and wetlands scientist with BSC Group, explained that there is a minor change from the project that was approved by the Commission in 2011. National Grid would now like to install two new electric utility poles within the 100 ft buffer to Bordering Vegetated Wetland to provide service to the single-family home that was the subject of the 2011 Order of Conditions.

Commissioner Wood asked if the connection could be made from Broome Avenue instead of from Egan Avenue within the buffer zone. The applicant responded that the connection was not able to be made from Broome Avenue.

Upon a motion made by Commissioner Berg-Powers and seconded by Commissioner McDonald, the Commission voted 6-0 that this change was minor and did not require the submission of an Amended Notice of Intent with the condition that the applicant submit a revised plan shifting the pole labeled 3-51 outside the 15 ft buffer with a letter explaining why the connection could not be made from Broome Avenue.

**List of Exhibits:**

**Exhibit A:** Letter from BSC Group, Inc. Erin E. Jacque to Nancy Tran; re: Minor Deviation of Order of Conditions (DEP # 300-1012); dated November 30, 2012.

**Exhibit B:** Minor Deviation to Order of Conditions Revised Utilities Plan for 10 Egan Avenue dated February 23, 2011.

- b. re: Notice of Project Change for Greenwood Street Landfill Project from CDM smith; dated November 30, 2012.**

This item was continued to the January 14, 2013 meeting.

**Other:**

Chairman Wanat informed the Commission that they received a package regarding the Preliminary Subdivision application for 31 Randolph Road. On a motion that was duly made by Commissioner Wood and seconded by Commissioner Donahue, it was entered into the file.

**ADJOURNMENT**

Signing of Certificates of Compliance

Upon a motion by Commissioner Berg-Powers and seconded by Commissioner Wood, the Commission voted 6-0 to adjourn the meeting at 6:40 PM.