

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

March 3, 2014

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Conservation Commission Members Present: Jack Donahue, Acting Chair
Jordan Berg Powers
Joseph Charpentier

Members Absent: Stefanie Wood
Jeremy Theerman

Staff Present: Christopher Gagne, Department of Public Works & Parks (DPW&P)
Stephen S. Rolle, Division of Planning & Regulatory Services
Nancy Tran, Division of Planning & Regulatory Services

CALL TO ORDER

The Chair called the meeting to order at 5:34 pm.

APPROVAL OF THE MINUTES

The approval of minutes from the February 10, 2014 meeting was held because they were not ready for review.

UNFINISHED BUSINESS

1. 231 Brooks Street (CC-2014-003) – Request for Determination of Applicability

Steve Eriksen of Norse Environmental Services, Inc. appeared before the Commission for a Request for Determination for the construction of a 4,250 SF addition with associated site improvements, grading and utilities on property located at 231 Brooks Street. He stated that since the last meeting, he revised the site plan to relocate the infiltration unit outside the 30' buffer as requested by the Commission.

Chair Donahue stated he conducted a site walk with Commissioner Theerman and saw the conditions match the plans submitted. The drainage ditch or intermittent stream in question appeared to have well-defined banks which indicate that it may have previously been a stream.

Upon a motion by Commissioner Charpentier and seconded by Commissioner Berg Powers, the Commission voted 3-0 to issue a Negative Determination of Applicability for the work.

List of Exhibits:

- Exhibit A: Request for Determination of Applicability Application for 231 Brooks Street submitted by Norse Environmental Services, Inc.; received January 21, 2014.
- Exhibit B: Site Improvement Plan for 231 Brooks Street; Norse Environmental Services, Inc.; dated January 14, 2014; received January 21, 2014.
- Exhibit C: Project Drainage Report, 231 Brooks Street; prepared by Norse Environmental Services, Inc. dated January 1, 2014; received January 21, 2014.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 231 Brooks Street- RDA (CC-2014-004); dated January 30, 2014, revised February 10, 2014.

Exhibit E: Site Improvement Plan for 231 Brooks Street; Norse Environmental Services, Inc.; dated January 14, 2014; last revised February 14, 2014; received February 20, 2014.

2. 40 Quinsigamond Avenue (CC-2014-002) – Notice of Intent

Engineer Kenneth Knowles of Eaglebrook Engineering & Survey, LLC appeared before the Commission on behalf of the applicant, iNATGAS, for a Notice of Intent to construct a compressed natural gas (CNG) fueling station with 9 pumps, associated site improvements, grading, utilities, landscaping and stormwater management. Mr. Knowles stated the project area is part of a larger whole owned by NSTAR, which has leased a portion to iNATGAS. The area is currently vacant, bisected by the 100-year floodplain and within proximity to catchbasins. Mr. Knowles stated that the proposed facility features two areas for different customers – the gated rear for tractor trailers and the front for fleet vehicles. The project proposes a rain garden parallel to Quinsigamond Avenue, additional trees, an underground infiltration facility at the rear private portion and an underground storage facility to provide greater flood storage and reduce peak runoff rates.

Chair Donahue stated that the area is very prone to flooding. He inquired whether the project will exacerbate flooding and asked whether the additional trees are Asian Longhorned Beetle (ALB)-resistant species.

Mr. Knowles stated that the project is within the upper portion of the floodplain and does not propose to cut or fill. He believed the trees are ALB-resistant but can verify with staff.

Commissioner Charpentier asked whether the underground storage would work with localized flooding.

Mr. Knowles stated that the 50'x 50' infiltration facility will be located outside the floodplain, will capture additional TSS and has an outlet control structure that will discharge into an existing manhole on Lafayette Street.

Commissioner Berg Powers inquired about construction storage, equipment, maintenance and snow storage.

Mr. Knowles stated that an NSTAR consultant will deal with soil handling and mitigation as the property is contaminated. CNG will be stored on site on a concrete pad above the flood plain elevation. He stated that CNG can be compressed on demand, the site will be monitored remotely, there will be regular maintenance and an emergency shutdown switch to alert the Worcester Fire Department and iNATGAS. Snow will be stored on the west side along the fence and not within the rain garden.

Chair Donahue asked what systems would be in place to address truck spillage, to which Mr. Knowles replied proposed deep sump catch basins and Total Suspended Solids (TSS) units will catch spills before pollution would enter the combined sewer system.

Mr. Gagne requested that City of Worcester standard details be provided.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Charpentier, the Commission voted 3-0 to close the public hearing. Discussion regarding issuance of Order of Conditions for this item was held to the end of the meeting.

List of Exhibits:

- Exhibit A: Notice of Intent Application for 40 Quinsigamond Avenue submitted by iNATGAS; received January 21, 2014.
- Exhibit B: Stormwater Analysis and Calculations; prepared by Eaglebrook Engineering & Survey, Inc.; dated January 17, 2014; received January 21, 2014.
- Exhibit C: Permit Site Development Plans for iNATGAS, Quinsigamond Avenue; prepared by Eaglebrook Engineering & Survey, Inc.; dated January 17, 2014; received January 21, 2014
- Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 40 Quinsigamond Avenue- NOI (CC-2014-003); dated January 30, 2014.

3. 449 Lake Avenue (CC-2014-004) – Request for Determination of Applicability

Jay Gallant of Gallant Architecture and Construction appeared before the Commission on behalf of the applicant, Mary Rennie, for a Request for Determination of Applicability for the demolition of an existing 121 SF patio, construction of 308 SF deck, 200 SF second floor addition and retaining wall on property located at 449 Lake Avenue. Mr. Gallant stated that the house was built in the 1920s on a property that slopes steeply from the street to the lake and is located approximately 75' from the lake. He stated that work will have minimal impact to earth disturbance by removing the existing patio and replacing the existing patio retaining wall. Work will involve pouring six piers for a deck, which is located at a distance of 56.9' from the lake and a foundation for a wrap-around porch. He stated that an excavator will be used for the proposed sonotubes.

Chair Donahue stated that the Commission typically takes a closer look at projects occurring near Lake Quinsigamond.

Mr. Gagne stated that the proposed retaining wall is considered a structure and cannot be within 30' of the lake.

Mr. Gallant stated the retaining wall within 30' of the lake is existing and the proposed retaining wall is further away and located in the patio area. He stated that no work is proposed within the 30' buffer. He said he was amenable to a site walk of the property.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Charpentier, the Commission voted to continue the item to March 24 following a site walk.

List of Exhibits:

- Exhibit A: Request for Determination of Applicability Application for 449 Lake Avenue; received February 10, 2014.
- Exhibit B: Plot Plan of Land for 449 Lake Avenue; prepared by Rod Carter Associates Land Surveyors; dated January 21, 2014; received February 10, 2014.
- Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 449 Lake Avenue- RDA (CC-2014-004); dated February 27, 2014.

4. 488 Salisbury Street (CC-2014-005A) – Request for Determination of Applicability

Ecological scientist Chris Fox of BSC Group appeared before the Commission on behalf of the applicant, Massachusetts Electric Company dba National Grid, for a Request for Determination of Applicability to install approximately 105' of electric conduit and a utility manhole at 488 Salisbury Street and within the Salisbury Street road shoulder. He stated a portion of the work is within the 100' buffer zone and will be completed in less than a week.

Chair Donahue asked whether trench work will be closed at the end of the day, to which Mr. Fox replied that all excavated areas will be closed at the end of each working day.

Mr. Gagne had no comments.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Charpentier, the Commission voted 3-0 to issue a Negative Determination of Applicability.

List of Exhibits:

Exhibit A: Request for Determination of Applicability Application for 488 Salisbury Street submitted by Massachusetts Electric Company; received February 11, 2014.

Exhibit B: Site Locus Map, Environmental Resources Map & Site Photographs for 488 Salisbury Street submitted by Massachusetts Electric Company; received February 11, 2014.

Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 480 Salisbury Street Street- RDA (CC-2014-005A); dated February 27, 2014.

5. Salisbury Street Right-of-Way (between Burgess Rd & Beechmont St) (CC-2014-005B) – Request for Determination of Applicability

Mr. Fox of BSC Group appeared before the Commission on behalf of the applicant, Massachusetts Electric Company dba National Grid, for a Request for Determination of Applicability to install approximately 300' of electric conduit and a utility manhole within the northerly road shoulder of Salisbury Street, between Burgess Road and Beechmont Street. Mr. Fox said the work is part of the same project as the previous item heard but further away. He added that some of the work is near a pond and along the unpaved road edge.

Commissioner Charpentier inquired whether there was a slope from Salisbury Street toward the pond.

Mr. Fox said the work is outside the 50' buffer to the pond and at the same level but was unsure whether there was a slope from the hill since he did not have access to the adjacent private property.

Mr. Gagne had no comments.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Charpentier, the Commission voted 3-0 to issue a Negative Determination of Applicability.

List of Exhibits:

Exhibit A: Request for Determination of Applicability Application for Salisbury Street Right-of-Way submitted by Massachusetts Electric Company; received February 11, 2014.

Exhibit B: Site Locus Map, Environmental Resources Map & Site Photographs for 488 Salisbury Street submitted by Massachusetts Electric Company; received February 11, 2014.

Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 480 Salisbury Street- RDA (CC-2014-005B); dated February 27, 2014.

6. 40 Quinsigamond Avenue (CC-2014-006) – Notice of Intent

Project Manager Neal DePasquale of STV Incorporated appeared before the Commission on behalf of the applicant, Worcester Regional Transit Authority (WRTA), for a Notice of Intent filing. The applicant proposed to construct an ~11 acre transportation maintenance and operations facility with a ~137,370 SF building, 150 parking spaces, fueling station and circulation area. Other proposed work included grading, stormwater management system, provision of compensatory flood storage, utilities and associated site work.

Engineer Preethi Sreeraj of STV Incorporated appeared before the Commission and stated that the site is located within bordering land subject to flooding and the project was designed to provide the required incremental compensatory flood storage between elevations 449 and 452. She stated that some water will be displaced due to the proposed building but that roof runoff will be diverted to an on-site stormwater system before slowly discharging to the combined sewer system. Ms. Sreeraj added that there will be two water quality structures and a deep sump catch basin on site. She stated that construction will take 18 months and the anticipated completion is scheduled for December 2015. She said that due to existing gas lines on site, proposed plantings are limited.

Chair Donahue stated that flooding in the area is a significant concern and inquired if the project will have negative effects to existing flooding.

Mr. DePasquale stated that the applicant is aware of the issue and has held neighborhood meetings. He stated the project is improving the site as there is no existing stormwater containment. The project is designed to collect roof runoff and addresses displacement with compensatory flood storage.

Chair Donahue inquired about the bus washing and underground fuel tank.

Mr. DePasquale stated that fully reclaimed water will be used for bus washing and that the wash water will be treated before entering the combined sewer system. He added that the double-walled fuel tanks will be outside the floodplain and that there will be no dewatering.

Commissioner Berg Powers inquired about the space on top of the building. He stated that it provides an opportunity for solar power or a roof garden. He also asked what will become of the existing maintenance facility on Grove Street.

Mr. DePasquale stated that the building was designed to accommodate solar power panels but none are currently proposed. He added that the building will have light monitors for natural lighting and will have an HVAC system installed.

Stephen O'Neil, Administrator for WRTA, appeared before the Commission and stated that he was working with the City on a Request for Proposal to clean up the site for sale. He stated that it is possible the site will also be used for retail.

Commissioner Charpentier asked whether grading will occur off-site, for more information regarding the underground infiltration chamber and whether the system is designed for the proposed building only.

Ms. Sreeraj said no grading is proposed off-site. She stated that the roof drain will direct water into the underground chamber and slowly discharge to the outlet structure before entering the combined sewer system. She added that the system is designed for a 100-year storm.

Mr. Gagne asked that the applicant providing City of Worcester standard details.

Mr. DePasquale stated he was amenable to provide revised plans.

Jo Hart, Worcester resident, appeared before the Commission and expressed her concern regarding the project. She stated the project should be located near CSX facilities to concentrate pollution.

Upon a motion by Commissioner Charpentier and seconded by Commissioner Berg Powers, the Commission voted 3-0 to close the public hearing. Discussion regarding issuance of Order of Conditions for this item was held to the end of the meeting.

List of Exhibits:

Exhibit A: Notice of Intent Application for 40 Quinsigamond Avenue, Worcester Regional Transit Authority, Bus Maintenance and Operations Facility; submitted by Worcester Regional Transit Authority (WRTA); received February 12, 2014.

Exhibit B: Project Plans for Worcester Regional Transit Authority, Bus Maintenance and Operations Facility at 40 Quinsigamond Avenue; prepared by STV Incorporated; dated and received February 12, 2014.

Exhibit C: Stormwater Analysis Report for Worcester Regional Transit Authority (WRTA), Bus Maintenance and Operations Facility at 40 Quinsigamond Avenue; prepared by STV Incorporated; dated and received February 12, 2014.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 40 Quinsigamond Avenue (WRTA) – NOI-CC-2014-006; dated and received February 28, 2014.

OTHER BUSINESS

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

Mr. Rolle stated that Mr. Gagne recently inspected the area and saw no change since he last viewed it. Following staff discussion with DPW&P and Law Department, Mr. Rolle issued another letter to the owner requesting them to address the issue, citing violation of the law and general provision for ticketing. He stated that if Mr. Gagne or the Commission observes another instance of soil erosion making its way to the catch basin, Mr. Gagne has the authority to issue a ticket fining the owner for each occurrence.

List of Exhibits:

Exhibit A: Letter from Stephen S. Rolle, Director of Planning & Regulatory Services to KLA Holdings, attn: Kathy Luu; dated March 4, 2014.

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

Mr. Rolle stated that he issued a letter to Arboretum summarizing the Commission's request for further stabilization regarding the steep eroding slope on Honeysuckle Road. He informed the Commission that he and staff have a scheduled meeting with MassDEP the following week to further discuss the issue.

Chair Donahue asked that any additional correspondence regarding the matter be forwarded to the Commissioners.

Commissioner Charpentier inquired whether the issue is also scheduled to be addressed at the upcoming Planning Board meeting.

Mr. Rolle stated that in January, the Planning Board found that the owner is in violation of approved subdivision plan and requested that the owner address stabilization issues. He added that he received a letter from the owner's attorney indicating that a new plan could not be provided by the deadline but will be provided in early March.

The item was continued to the March 24 Conservation Commission meeting for further updates.

List of Exhibits:

Exhibit A: Letter from Stephen S. Rolle, Director of Planning & Regulatory Services to Arboretum Village, LLC (re: stabilization); dated February 26, 2014.

9. Communication Received:

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

- a. From Scott Morrison of EcoTec, Inc. re: Arboretum Village Estates; dated February 13, 2014; received January 14, 2014.
- b. From MassWildlife Division of Fisheries & Wildlife; re: Worcester Regional Airport CAT III ILS and Taxiway Improvements; dated and received February 11, 2014.

10. Discussion and Issuance of Orders of Conditions as relevant to a hearing closed 1/6/13.

The Commission reviewed the closed item and upon a motion by Commissioner Berg Powers and seconded by Commissioner Charpentier, the Commission voted 3-0 to issue conditions as discussed for 40 Quinsigamond Avenue (CC-2014-002).

The Commission reviewed the closed item and upon a motion by Commissioner Berg Powers and seconded by Commissioner Charpentier, the Commission voted 3-0 to issue conditions as discussed for 40 Quinsigamond Avenue (CC-2014-002).

11. Signing of Decisions

- 231 Brooks Street (CC-2014-003) – Negative Determination of Applicability
- 40 Quinsigamond Avenue (CC-2014-002) – Order of Conditions
- 480 Salisbury Street (CC-2014-005A) – Negative Determination of Applicability
- Salisbury Street Right-of-Way (between Burgess Rd & Beechmont St) (CC-2014-005B) – Negative Determination of Applicability
- 40 Quinsigamond Avenue (CC-2014-006) – Order of Conditions

Adjournment

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Charpentier, the Commission voted 3-0 to adjourn the meeting at 7:13 pm.