City of Worcester
Conservation Commission Meeting Agenda
Monday, April 25, 2016
Worcester City Hall, 455 Main Street, Levi Lincoln Chamber, 3rd floor at 5:30 P.M.

Call to Order: 5:30 pm

Approval of Minutes:

Requests for Continuances, Postponements, Withdrawals:

Public Hearings:

Unfinished Business – Notices of Intent:
1. 275 Harrington Way (MBL 17-032-00023) (CC-2016-007)
   Application: Notice of Intent
   Applicant: Good Shephard Ghana Methodist Church
   Project: For the construction of a ~6,113 SF structure, to be used as a place of worship, and associated 87 space parking area, along with associated grading, drainage, and site work, on property located at 275 Harrington Way
   Jurisdiction: The City of Worcester Wetlands Protection Ordinance - The proposal shall occur within the Stormwater Protection Zone

New Business – Requests for Determination of Applicability:
2. 69 Delawanda Drive (MBL 42-006-00224) (CC-2016-011)
   Application: Request for Determination of Applicability
   Applicant: Justin Savage
   Project: To seek determination as to whether or not the work/area associated with the removal of ~20 mature trees along with associated site work, located at 69 Delawanda Drive, is subject to the Commission's jurisdiction.
   Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal may occur within the 100’ buffer to a bordering vegetated wetland
   Public Hearing Opening Deadline: WPA – n/a; WPO – 4/25/2016
   Constructive Grant Deadline: WPA – 5/17/2016; WPO – n/a

3. Pan Am Railways Rail Road Right-of-Way (MBL RR-ROW-000ST) from West Boylston Drive northeasterly to the West Boylston town-line (CC-2016-014)
   Application: Request for Determination of Applicability
   Applicant: Pan Am Railways
   Project: To seek determination as to whether or not the boundaries of the resource areas depicted on the plans are accurately delineated from West Boylston Drive northeasterly to the West Boylston town-line
   Jurisdiction: The Massachusetts Wetlands Protection Act - The proposal may occur within a resource area and/or within the ‘100’ buffer to a resource area
   Constructive Grant Deadline: WPA – 5/5/2016; WPO – n/a
New Business – Requests for Determination of Applicability:

4. Tatnuck Brook (west of Mill Street, between 570 & 600 Mill Street), 468 Chandler Street (MBL 48-031-00001), & Patches Reservoir (aka 520 Mill Street MBL 30-29A-00002) (CC-2016-018)

Application: Request for Determination of Applicability
Applicant: Timothy Cook, of Worcester State University
Project: To seek determination as to whether or not the work associated with the installation of two stream gage stations, within Tatnuck Brook (west of Mill Street, between 570 & 600 Mill Street) and an unnamed pond located at 486 Chandler Street (Worcester State University’s Campus), and of a water quality monitoring buoy, within Patches Reservoir (520 Mill Street), are subject to the Commission’s jurisdiction.

Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within land under water associated with Tatnuck Brook, a perennial stream, Patches Reservoir, a pond, and an unnamed pond.

Constructive Grant Deadline: WPA – 5/3/2016; WPO – n/a

New Business – Notices of Intent:

5. 0 & 9 Hemans Street and part of 40 Milton Street (MBL 09-030-007-2, 09-030-00009 & 09-030-00004) (CC-2015-055)

Application: Notice of Intent
Applicant: John Boggia of JNBB, LLC
Project: The demolition of the existing structure on-site and the construction of three multi-family high-rise dwellings (a total of 93 dwelling units) and associated off-street parking along with related grading, utilities, and site work

Jurisdiction: The City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the Stormwater Protection Zone

Public Hearing Opening Deadline: WPA – n/a; WWPO – 4/25/2016

6. Properties located to the east of the Leicester/Worcester town-line, south of Stafford Street, west of Nixon Avenue, and north of Clover Street associated with a utility maintenance project (CC-2015-074)

Application: Notice of Intent
Applicant: New England Power Company
Project: To confirm resource area delineation and work associated with the replacement of utility related infrastructure (e.g. poles, wires, anchors, etc.) along with associated grading and site-work, on property located to the east of the Leicester/Worcester town-line, south of Stafford Street, west of Nixon Avenue and north of Clover Street.

Jurisdiction: The City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100 ft. buffer zone to the bank of various bordering vegetated wetlands, perennial and intermittent streams, associated riverfront area, bordering land subject to flooding, and within the stormwater protection zone.

Public Hearing Opening Deadline: WPA – n/a; WWPO – 4/25/2016


Application: Notice of Intent
Applicant: Chick-fil-A
Project: To construct a 4,988 SF drive-through restaurant and accessory parking lot, along with associated utilities, grading, & site work, on property located at 32 (aka 36) Millbrook Street & 70 Gold Star Boulevard

Jurisdiction: The City of Worcester Wetlands Protection Ordinance - The proposal shall occur within the Stormwater Protection Zone

Public Hearing Opening Deadline: WPA – n/a; WWPO - 5/20/2016
Other Business:

8. Request for Determination of Significance and Subsequent Action due to a Project Change – Avery Estates (CC-2008-019)

9. Enforcement Order Updates:
   a. Arboretum Village Estates (CC-EO-2016-002)
      i. Turbidity Sampling/Monitoring Data from various dates; from EcoTec, Inc.
      ii. Update from Mass DEP re: Extension of deadline for requested information in compliance with ACOP.
      iii. Correspondence & response pertaining to the Commission’s 4/4/16 request for information from the owner.
   b. Goldthwaite Road (Burncoat Gardens Phase I & V) (CC-EO-2015-007)
   c. Pierce Avenue (Burncoat Gardens Phase IV) (CC-EO-2015-008)
   d. 604 Burncoat Street (aka Burncoat Heights) (CC-EO-2015-011)
   e. 0 Granite Street – Broadmeadow Brook (CC-EO-2016-003)

10. Requests for Certificate of Compliance:
    a. 501-505 Mill Street (CC-2001-027)
    b. Avery Estates Subdivision (Avery Path, Brookline Street, & Wyola Drive) (CC-2008-019)
    c. Scenic Heights – Partial request for 3 Quaker Road (aka lot 61) – (DEP # 349-365)

11. Communication:
    c. CSX Transportation, Inc.’s 2016 Yearly Operational Plan (per 333 CMR 11.00); from Amec Foster Wheeler Environment & Infrastructure, Inc.; received 4/12/2016.
    f. Invitation to the Green Hill Park Presentation, on 5/5/2016, of the Proposal to Remove the Forum Theater; from DPW&P; received 4/12/2016.
    g. MACC Quarterly Newsletter – Spring 2016 Edition; from Massachusetts Association of Conservation Commissions; received 4/15/2016.

12. Clarification regarding the conditions associated with the Negative Determination for 19 (aka 25) Quinsigamond Avenue (CC-2016-003)

13. Review of Drafted Legislative Letters re: House Bill 3983 & Senate Bill 119

14. Discussion of Special Conditions and Issuance of Orders of Conditions

15. Signing of Decisions

Adjournment