

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

**January 28, 2019**

**WORCESTER CITY HALL – LEVI LINCOLN CHAMBERS**

**Conservation Commission Members Present:** Joseph Charpentier  
Devin Canton  
Amanda Amory

**Conservation Commission Members Absent:** Christian Escobar  
Azal Khaled

**Staff Present:** Michelle Smith, Planning & Regulatory Services Division  
Stefanie Covino, Planning & Regulatory Services Division  
Stephane Cherduville, Department of Public Works and Parks

Call to Order

The Chair called the meeting to order at 5:45 p.m.

Requests for Continuances, Postponements, Withdrawals

**Item #1: 142-158 Wildwood Avenue and 2 Spring Lane**  
Notice of Intent (CC-2018-085, DEP #349-1228)  
Request to continue public hearing to February 11, 2019

**Item #2: 210 Southwest Cutoff**  
Notice of Intent (CC-2018-098; DEP #349-1233)  
Request to continue public hearing to February 11, 2019

Upon a motion by Commissioner Canton, seconded by Commissioner Amory, the Commission voted 3-0 to continue the Public Hearings to February 11, 2019.

**Item #3: 522 or 516 Grove Street**  
Request for Determination of Applicability (CC-2018-079)  
Request to leave to withdraw without prejudice

Upon a motion by Commissioner Amory, seconded by Commissioner Canton, the Commission voted 3-0 to approve the request to leave to withdraw without prejudice.

**Item #6: 0 Whipoorwill Drive & 0 Danielle's Way (Malden Woods Subdivision)**  
Notice of Intent (CC-2018-080; DEP# 349-1224)  
Request to postpone the public hearing to February 11, 2019

Upon a motion by Commissioner Amory and seconded by Commissioner Canton, the Commission voted 3-0 to request the applicant submit a statement before February 11, 2019 noting at which Commission meeting the project would be ready to open the public hearing. Otherwise, the project is requested to submit a Leave to Withdraw and refile when ready.

**Item #7: Washington Heights or 43 (aka 45) and 90 Outlook Drive and 7 (aka 7-23) and 28 (aka 26-30) Williamsberg Drive**  
Notice of Intent (CC-2019-002; DEP #349-1234)  
Request to postpone the public hearing to February 11, 2019

Upon a motion by Commissioner Amory, seconded by Commissioner Canton, the Commission voted 3-0 to continue the Public Hearings for Items #6 and #7 to February 11, 2019.

**Item #8**            **486 Chandler Street (AKA Worcester State University)**  
Notice of Intent (CC-2019-004; DEP #349-XXXX)  
Request to postpone public hearing to February 11, 2019

**Item #10a**        **486 Chandler Street (AKA Worcester State University)**  
Request for Extension of Time for Orders of Conditions (CC-2013-001)

Upon a motion by Commissioner Amory, seconded by Commissioner Canton, the Commission voted 3-0 to postpone the Public Hearings to February 11, 2019 due to lack of quorum due to Commissioner Amory recusing herself.

**Approval of Minutes:** 1/10/2018, 1/29/18, 10/22/2018, 11/19/2018, 12/17/18, 1/7/19

#### **New Business – Requests for Determination of Applicability**

**Item #4**            89 Beaver Brook Parkway (MBL 14-009-00037) Request for Determination of Applicability by Burke Engineering (CC-2019-005)  
**Project:**            To conduct soil borings and conduct associated site work.  
**Jurisdiction:**      The MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance  
**Action:**            Upon a motion by Commissioner Amory, seconded by Commissioner Canton, the Commission voted 3-0 to issue a negative Determination of Action, noting that the project is assumed to be within the Bordering Land Subject to Flooding, per the FEMA maps.

**Item #5**            10 New Bond Street (MBL 37-002-10-01) Request for Determination of Applicability by National Water Main Cleaning Company (CC-2019-006) (re: Emergency Order)  
**Project:**            To address retroactive activities addressing emergency repairs regarding a sewer main overflow  
**Jurisdiction:**      The MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance  
**Action:**            Upon a motion by Commissioner Canton, seconded by Commissioner Amory, the Commission voted 3-0 to issue a negative Determination of Action.

#### **New Business – Abbreviated Notice of Resource Area Delineation**

**Item #9**            Salisbury Hill (aka property located off of Salisbury Hill Boulevard and Barrows Road; fka 727 Salisbury Street) (MBL CO-NDO-02019): Abbreviated Notice of Resource Area Delineation by Premier Property Group, LLC (CC-2019-001, DEP# 349-1235)  
**Project:**            To delineate the jurisdictional resource areas on and affecting a portion of the subject property  
**Jurisdiction:**      MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance  
**Action:**            Upon a motion by Commissioner Amory, seconded by Commissioner Canton, the Commission voted 3-0 to close the public hearing and issue an Order of Resource Area Determination affirming the resource areas as noted on the plan dated 1/17/19.

#### **Other Business**

##### **Requests for Certificates of Compliance**

- a. 30 (AKA 40) and 42 Quinsigamond Avenue (MBL 05-022-0102A & -0102B) (CC- 2018-017)  
Upon a motion by Commissioner Canton, seconded by Commissioner Amory, the Commission voted 3-0 to issue a complete Certificate of Compliance.
- b. 500 Salisbury Street (AKA Assumption College ROW) (MBL 55-004-00001, 21-019-00001, -00002) (CC-2016-001)  
Upon a motion by Commissioner Canton, seconded by Commissioner Amory, the Commission voted 3-0 to issue a complete Certificate of Compliance.
- c. 23 Sophia Drive (MBL 29-11A-0014L) (CC-2006-059)
- d. 23 Sophia Drive (MBL 29-11A-0014L) (CC-2006-077)

Upon a motion by Commissioner Amory, seconded by Commissioner Canton, the Commission voted 3-0 to issue a partial Certificate of Compliance for both items c and d.

### **Enforcement Order Updates**

- a. 128 Alvarado Avenue (CC-2008-045 & CC-2017-017; DEP #349-963; CC-EO-2016-004) – no update
- b. 100 (fka) Goldthwaite Road (aka White Birch Commons (fka Burncoat Gardens)) (CC-2013-057; DEP #349-1075; CC-EO-2017-001) – monitoring reports received and up to date
- c. Country Club Acres (aka Garrison Avenue & 190 East Mountain Street; Cobblestone Lane (fka Paradise Point)) (CC-2007-025; DEP #349-931; CC-EO-2017-009; UAO-CE-18-6W001) – update provided by Ms. Covino regarding pouring foundations and waiting for request for inspections before moving forward. Applicant will attend Interdepartmental Review Team meeting before filing new NOI for next phase of project.
- d. 93 Chicopee Street (CC-EO-2018-001) – Staff will follow up with Commissioner Escobar to visit site and determine follow up
- e. 40 Sutton Lane (CC-EO-2018-002) – no update
- f. 20 Quinsigamond Avenue (CC-EO-2018-004) – Applicant still needs to submit additional documents to Commission to regain compliance of enforcement order. Estimated start of project 5/1/19.
- g. 72 Upland Street (CC-EO-2018-005) – site is stabilized per Mr. Cherduville
- h. Arboretum Village Estates (CC-2009-042, CC-EO-2013-003, DEP# 349-978) – representative provided an update

### **Communication**

- a. MACC registration, from MACC, received 1/28/19
- b. Ethics training and acknowledgement reminder, from staff, received 1/22/19
- c. South High project status update, from EndPoint, received 1/23/19 – EndPoint provided a powerpoint update of the project and Guigli also answered questions from the Commission.

### **Discussion of Commission Regulations, Processes & Procedures**

- a. Discussion of online versus paper filings & proposed updates to application checklist
- b. Discussion of budget  
Upon a motion by Commissioner Amory, seconded by Commissioner Canton, the Commission voted 3-0 to approve the proposed budget for FY19 as drafted by staff and dated 1/28/19, with the addition of a plant field guide not to exceed \$200 and request staff to take all necessary steps to authorize allocation and expenditure of account funds.

### **Signing of Decisions**

**Adjournment:** Upon a motion by Commissioner Canton, seconded by Commissioner Khaled, the Commission voted 3-0 to adjourn at 8:29 pm.