

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

January 27, 2020

WORCESTER CITY HALL – ESTHER HOWLAND CHAMBERS

Conservation Commission Members Present: Joseph Charpentier, Chair
Devin Canton
Amanda Amory
Azal Khaled
Sarah French

Conservation Commission Members Absent: Christian Escobar, Vice Chair

Staff Present: Stefanie Covino, Division of Planning & Regulatory Services

Call to Order

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

Requests for Continuances, Postponements, Withdrawals

Item #1: 0 Meadowbrook Road
Notice of Intent CC-2019-013; DEP#349-1242
Request to continue to **February 10, 2020**

Item #2: Salisbury Hill (fka 727 Salisbury Street)
Notice of Intent CC-2019-035; DEP#349-1253
Request to continue to **February 10, 2020**

Item #3: Bittersweet Blvd (Arboretum Village)
Notice of Intent CC-2019-068
Request to continue to **February 10, 2020**

Item #4: 45 Fremont Street
Notice of Intent CC-2020-001
Request to continue to **February 10, 2020**

Item #7: 181 Lake Avenue
Notice of Intent CC-2020-002; DEP# 349-1264
Request to Continue to **February 10, 2020**

Item #9: 0 (fka 646) Salisbury Street
ANRAD CC-2019-073; DEP# 349-1262
Request to postpone to **March 2, 2020**

Item #11a: 128 Alvarado Avenue
Request for Extension of Time CC-2008-045/CC-2017-017; DEP#349-963
Request to Continue to **February 10, 2020**

Motion to continue/postpone as noted: Commissioner Amory; Seconded: Commissioner Canton. Voted 5-0.

Approval of Minutes N/A

Public Hearings

Old Business – Notices of Intent N/A

New Business – Requests for Determination of Applicability

Item 5. Right of Way Associated with 174, 176, 179, 181 Millbury Street (MBL 05-021-00051, 05-022-00025, 05-020-00016, 05-024-00033)

File #: CC-2020-007

Applicant: National Grid

Project: To install approximately 50 linear feet of electrical conduit and associated site work

Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance

Representative from BSC Group presented the project. Work to occur within right-of-way, underground, with no fill of Bordering Land Subject to Flooding and no permanent impacts. Motion to issue negative determination: Commissioner Canton; Seconded: Commissioner Amory. Voted 5-0.

New Business – Notices of Intent

Item 6. 0 Whippoorwill Drive & 0 Danielle's Way (aka Malden Woods Subdivision) (MBL 32-011-0001A & B through -0007A & B; -00008 through -00013; -0014A & B; & -0015A & B); the Whippoorwill Drive Right-of-Way; and the westerly portion of the Castine Street Right-of-Way

File #: CC-2019-074; DEP# 349-XXXX

Applicant: Whippoor LLC

Project: To construct a subdivision, consisting of construction of approximately 30 residential dwelling units and a new roadway network connecting Whippoorwill Drive to Castine Street, including the extension and reconstruction of Whippoorwill Drive and an extension of Castine Street, along with related utility, grading, paving, drainage, and site work, and to request a waiver of the requirements of plan requirement 5.3.p and performance standard 4.2.4. of the City of Worcester Wetlands Protection Regulations.

Jurisdiction: Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance

The applicant and their representatives from HS&T Group, EcoTec, and Fletcher Tilton PC attended and discussed the project. The applicant's representatives noted that the new stormwater standards could be met, including the Ordinance's requirement to use newer stormwater data. However, this would alter the site's disturbance area. The Commission requested a rough estimate of limit of work, amount of grading/clearing, and location of detention basins for the plan that met stormwater standards to make an informed decision whether the waiver for stormwater requirement 5.3.p would be granted.

Motion to continue the item until 2/10/20: Commission Canton. Seconded: Commissioner Amory. Vote: 5-0.

Item 8. 24 Woodward Street, 3 Appian Way, 3 (aka 8), 1, 4, 5, 6, & 12 Brussels Street, 725 Southbridge (MBL 07-034-00035 & 07-051-00001, -00002, -00003, -00004 -00007)

File #: CC-2020-006; DEP# 349-1263

Applicant: Brussels Development, LLC

Project: To construct and repave a parking lot, repair/replace utility lines, install stormwater improvements, and conduct associated site work

Jurisdiction: Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance

The applicant was unable to attend.

Motion to postpone the item until 2/10/20: Commission Amory. Seconded: Commissioner Canton. Vote: 5-0.

Other Business

Item 10. Informal Presentation

a. Update of the City of Worcester's Open Space and Recreation Plan, by the Parks Department Rob Antonelli and Cesar Valiente from the Parks Department, along with their representative from Weston & Sampson, presented information regarding their work to update the City's OSRP. They noted they're working to determine existing conditions and will focus on resilience in the next iteration. The Commission requested information regarding inventory also include the Commission's land and address urban tree canopy. They also asked that the ownership of all open space in the city be reviewed for appropriateness and for evaluation of creation of a line-item for stewardship and land management for the Commission. Colin Novick of the Greater Worcester Land Trust also spoke about creating a new "Top 10" list of parcels, updated from 1987 and 1998, including what criteria were used to determine such parcels and what criteria the Commission should currently use to identify or evaluate current parcels.

Item 12. Requests for Certificates of Compliance

a. 47 Meola Avenue (CC-2003-018)

Motion to issue a partial Certificate of Compliance: Commissioner Canton. Seconded: Commissioner Amory. Vote: 5-0.

Item 13. Enforcement Order and Violation Updates

a. 100 Goldthwaite Road (AKA White Birch Commons (FKA Burncoat Gardens)) (CC-2013-057; DEP #349-1075; CC-EO-2017-001)

Staff reviewed documents received from engineer, waiting on response of how work is to be performed to use a temporary settling basin to dewater the detention ponds so they may be cleaned and repaired.

b. Arboretum Village (CC-EO-2019-004)

This item held.

c. Country Club Acres (AKA Garrison Avenue & 190 Mountain Street East; Cobblestone) (CC-2007-025; DEP #349-931; CC-EO-2017-009; UAO-CE-18-6W001)

No update.

d. 20 Quinsigamond Avenue (CC-2014-002; DEP#349-1077; CC-EO-2018-004)

Staff to follow up with applicant to determine when work will be completed. Currently in violation of last enforcement order's timeline.

e. 128 Alvarado Ave (CC-2008-045 / CC-2017-017; DEP#349-963; CC-EO-2016-004)

No update.

f. Burncoat Heights (CC-2017-043; CC-EO-2019-001)

Mr. Russ Stewart and Ms. AnnMarie Belair attended the meeting and discussed the project. Staff had been informed of work performed and conducted multiple site visits noting work in violation of the enforcement order's cease and desist. Staff modified the enforcement order to reflect current documents still required, including full stormwater report noting compliance with all standards. Staff noted that standard 3 for recharge appears not to have been met for groundwater separation. The applicant requested that the engineering department review the plans and full stormwater report (when

submitted) for further comments. Staff noted that the basin does not appear to be functioning after seeing it overtopped on December 14, 2019 and multiple noted impacts from DPW&P at Poor Farm Brook. Applicant clarified that the environmental monitors for the project are both Mr. Michael Burke, PE and Ms. Maryanne DiPinto, PWS. Motion to ratify modified enforcement order: Commissioner Canton. Seconded: Commissioner Amory. Vote: 5-0.

g. 21 Paradox Drive (CC-2018-002; DEP#349-1182; EO-CC-2019-004)

No update.

Item 14. Discussion of Commission Regulations, Processes & Procedures

- a. Staff discussed proposed changes to the Worcester Wetlands Protection Regulations to clarify which types of projects require hydraulic/hydrologic calculations and clarify plan requirements regarding buffers. Staff will draft those changes and present them at the next meeting for discussion.

Item 15. Communications

- b. RAM Status Report No. 1 regarding Southbridge Street CC-2019-042; received 1/17/20 from GEI Consultants.

Item 16. Discussion of Special Conditions and Issuance of Orders of Conditions

Item 17. Signing of Decisions

Adjournment: 7:51pm

Motion to adjourn: Commissioner Amory. Seconded: Commissioner Canton. Vote: 5-0.