

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

February 25, 2013

WORCESTER CITY HALL – LEVI LINCOLN ROOM

Conservation Commission Members Present:

Joseph Wanat – Chair
Jack Donahue
Paul Franco
Mia McDonald
Jordan Berg-Powers

Members Absent:

Stefanie Wood – Vice Chair
Jeremy Theerman

Staff Present:

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

CALL TO ORDER:

The Chair called the meeting to order at 5:30 pm.

APPROVAL OF THE MINUTES:

Upon a motion by Commissioner Donahue and seconded by Commissioner Franco, the Commission voted 4-0 to approve the minutes for July 2, 2012 and February 4, 2013 as written.

Commissioner Berg-Powers was not present for the approval of the minutes vote.

NEW BUSINESS

Public Hearing

1. 45 McKeon Road (CC-2012-052) – Notice of Intent:

Engineer Christopher Cockshaw of Hatch Mott MacDonald appeared on behalf of applicant, NSTAR, for its Notice of Intent application. Also present with Mr. Cockshaw were project scientist Matthew Nowak and Mark Lamping from NSTAR. The project proposes to replace approximately 350' of existing 12" pipeline across Middle River and install a cathode protection system out of McKeon Road. The applicant previously appeared before the Commission and was issued a Negative Determination of Applicability to perform soil borings at the site area in September 2012.

Mr. Nowak said the project presently before the Commission seeks to install a new pipeline at a different angle that will avoid erosion and exposure. He said the area will use the same access route used in the boring project and utilize timber mats for vehicles. He added that the area is already disturbed and vegetated with Japanese Knotweed, which will be removed if necessary along with one tree that has already been affected by beavers.

Mr. Cockshaw said the Army Corps of Engineers deemed the project a category 1 maintenance project.

Mr. Nowak said the impacts described in the application are temporary, no other trees will be removed and that the existing pipe will be abandoned because its removal would cause further disturbance. He added that the proposed pipeline installation of 5' is sufficient and will not require future alteration. The work will commence mid-summer during low-flow and take approximately 2-3 days to complete.

Commissioner Franco inquired whether the abandoned pipe may fragment over time as exposed. Mr. Nowak replied that little fragmentation will occur as the pipe is made of steel. The replacement pipeline will be a safer alternative for utilities as it will be cathodic and prevent erosion. Mr. Cockshaw added that there should be no safety concerns because the old pipe will be cut, filled with sand and no longer filled with gas.

Commissioner Donahue inquired about the previous borings. Mr. Nowak said borings were performed to investigate soil conditions and inform the team how to cross Middle River and of any contamination in the area. Mr. Cockshaw explained that the borings allowed the team to study the gravel and decide that pushing in new pipe was too risky.

Staff said DPW&P had no comments.

Commissioner McDonald inquired whether lead was found in the borings and expressed her concern with abandoning the existing pipe. Mr. Nowak said boring refusal was at 30-45' below ground and there will be no need for blasting. He said the pipe will be cut, filled and sealed to prevent safety issues. He said water did flow under the pipe with portions of the pipe exposed in some areas. He explained that depending on the situation pipes were either abandoned or removed; in this case, however, pipe removal would cause more impact to the resource area.

Commissioner McDonald inquired about ownership of the abandoned pipe, to which Mr. Cockshaw said there was an easement with the property owner showing that NSTAR owned and was responsible for the pipe.

Upon a motion by Commissioner Franco and seconded by Commissioner Donahue, the Commission voted 4-0 (Commissioner Berg-Powers was not present for the hearing and vote) to issue an Order of Conditions. Discussion regarding issuance of Order of Conditions was held to the end of the meeting.

List of Exhibits:

Exhibit A: Notice of Intent Application for 45 McKeon Road submitted by NSTAR Gas; received December 20, 2012.

Exhibit B: Project Plan and Details for Middle River Crossing; prepared by Hatch Mott MacDonald; dated December 14, 2012.

Exhibit C: Revised Project Drawings; prepared by Hatch Mott MacDonald; dated January 25, 2013.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: NSTAR – Middle River Pipeline Replacement Project - NOI; dated January 14, 2013.

2. 1212 Main Street (CC-2013-003) – Notice of Intent:

Engineer Carl Hultgren of Quinn Engineering and Rev. Charles Monroe were present for a Notice of Intent application submitted by Roman Catholic Bishop of Worcester. The project proposes to construct a 3,015 SF addition onto the westerly side of an existing church, reconfigure four existing accessible parking spaces, reconstruct pavement/walkways, as well as relocate existing and install new utilities.

Mr. Hultgren said the project was within proximity to catchbasins, some of which will be removed and replaced. He explained that there will be a decrease in impervious area, increase in roof area with roof runoff diverted to an underground Cultech filtration chambers. Mr. Hultgren said silt sacks will be utilized at the two new catchbasins and at the new access.

Chair Wanat inquired about roof runoff, to which Mr. Hultgren said downspouts will lead to ground catchbasins with new ties to the underground system, not to Main Street.

Commissioner Franco inquired about the proposed height and the proposed use. Mr. Hultgren said it will be a single-story structure used as meeting space.

Upon a motion by Commissioner Franco and seconded by Commissioner McDonald, the Commission voted 4-0 (Commissioner Berg-Powers was not present for the hearing and vote) to issue an Order of Conditions. Discussion regarding issuance of Order of Conditions was held to the end of the meeting.

List of Exhibits:

Exhibit A: Notice of Intent Application for 1212 Main Street submitted by Roman Catholic Bishop of Worcester; received January 29, 2013.

Exhibit B: Definitive Plan, 1212 Main Street – Our lady of the Angeles Parish; prepared by Quinn Engineering, Inc.; dated January 29, 2013.

Exhibit C: Stormwater Report, Our Lady of the Angels – Building Addition; prepared by Quinn Engineering, Inc.; dated January 22, 2013 and revised January 29, 2013.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 1212 Main Street - NOI; dated February 20, 2013.

3. 67 West Boylston Street (CC-2013-006) – Notice of Intent:

Engineer Michael Andrade of Graves Engineering, Inc. appeared on behalf the applicant, Sanat Patel, for a Notice of Intent application. The project proposes to construct a 348 SF addition onto the rear of an existing ~2,400 SF commercial building, seven new parking spaces, a drive-through escape lane as well as install new drain and stormwater management modifications.

Mr. Andrade said the site was approximately a ½ acre, of which ¾ was impervious. The addition is proposed to create indoor restroom access and office space. The parking lot construction addresses customer demand and the spaces provide is beyond what is required by the Zoning Ordinance. Mr. Andrade said the existing retaining wall will be removed and replaced with a new higher one with rip rap located closer to the lot line to provide the seven new spaces. A new drive-through escape lane will be added but a new catchbasin could not fit on site due to existing underground utilities. However, to make up for the catchbasin, roof runoff will be caught and inverted to an underground chamber (none currently exists).

Mr. Andrade said the existing retaining wall is ~4-4 ½ ‘and the new wall will be ~9.8’ high. The retaining wall material has not yet been decided but it will have subdrain outside the wall.

Commissioner Donahue inquired about snow storage, to which Mr. Andrade said snow would be temporarily piled on parking spaces and hauled offsite as there are no landscaping buffers.

Upon a motion by Commissioner Franco and seconded by Commissioner Donahue, the Commission voted 4-0 (Commissioner Berg-Powers was not present for the hearing and vote) to issue an Order of Conditions. Discussion regarding issuance of Order of Conditions was held to the end of the meeting.

List of Exhibits:

Exhibit A: Notice of Intent Application for 67 West Boylston Street submitted by Sanat Patel; received February 4, 2013.

Exhibit B: Definitive Site Plan, Yankee Food Mart Site Improvements, 67 West Boylston Street; prepared by Graves Engineering, Inc.; dated January 28, 2013.

Exhibit C: Stormwater Report for Yankee Food Mart Site Improvements, 67 West Boylston Street; prepared by Graves Engineering, Inc.; dated January 28, 2013.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 67 West Boylston Street - NOI; dated February 20, 2013.

4. 950 Main Street (CC-2013-007) – Notice of Intent:

Engineer Michael Andrade of Graves Engineering, Inc. appeared on behalf the applicant, Trustees of Clark University, for a Notice of Intent application. The project proposes to construct a ~7,400 SF, 2-story addition onto an existing fitness center as well as install new drainage, stormwater management modifications, landscaping, water and sewer utilities.

Mr. Andrade provided a campus map showing where the proposed addition would be located in context to surrounding buildings (Exhibit E). He said a catchbasin will be removed and the existing building runoff will be directly tied to an underground recharge system.

Chair Wanat inquired about tree removal. Mr. Andrade said trees in or near the proposed building footprint (approximately four trees) will be removed. The campus will replace the trees and install ornamental landscaping that will be Asian Longhorned Beetle resistant species.

Upon a motion by Commissioner Franco and seconded by Commissioner Donahue, the Commission voted 4-0 (Commissioner Berg-Powers was not present for the hearing and vote) to issue an Order of Conditions. Discussion regarding issuance of Order of Conditions was held to the end of the meeting.

List of Exhibits:

Exhibit A: Notice of Intent Application for 950 Main Street submitted by Trustees of Clark University; received February 6, 2013.

Exhibit B: Definitive Site Plan, Bickman Fitness Center Addition, Clark University, 950 Main Street; prepared by Graves Engineering, Inc.; dated February 1, 2013.

Exhibit C: Stormwater Report for Bickman Fitness Center Addition, Clark University, 950 Main Street; prepared by Graves Engineering, Inc.; dated February 1, 2013.

Exhibit D: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 950 Main Street - NOI; dated February 20, 2013.

Exhibit E: Clark University Campus Map and rendering; prepared by Perkins + Will; undated and received February 25, 2013.

OTHER BUSINESS

5. Request for Certificate of Compliance – 5 Broome Avenue (DEP-349-1012):

Upon a motion by Commissioner Franco and seconded by Commissioner McDonald, the Commission voted 4-0 (Commissioner Berg-Powers was not present for the vote) to continue the item to March 11.

6. Enforcement Order Update – 25 Ellis Drive (CC-EO-2012-004) & Request for Certificate of Compliance (CC-2011-064):

Chair Wanat said the Commission received an email from Glenn Krevosky to staff stating that an engineer had been retained and site calculations would be submitted no later than March 4, 2013.

Upon a motion by Commissioner Franco and seconded by Commissioner Donahue, the Commission voted 4-0 (Commissioner Berg-Powers was not present for the hearing and vote) to continue the item to March 11.

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 of 25 Ellis Drive; prepared by Allen F. Paige Consulting Engineering; dated November 14, 2012 and received December 3, 2012.

Exhibit C: Email from Atty. Bachrach to Joel Fontane, Division of Planning & Regulatory Services; dated December 10, 2012.

Exhibit D: Email from Glenn Krevosky to Worcester Conservation Commission re: Sotirios – 25 Ellis Drive; dated February 25, 2013.

7. Conservation Restriction – Land off Plantation Parkway:

Ms. McCabe said staff had not yet received a draft of the Conservation Restriction from the Law Department. She requested that the item be continued to the March 11 meeting.

Upon a motion by Commissioner McDonald and seconded by Commissioner Franco, the item was continued to the March 11, 2013 meeting.

8. Communication Items

The Commission took no action on the communication items.

Commissioner Berg-Powers arrived at 6:28 P.M.

ADJOURNMENT

Upon a motion by Commissioner Berg-Powers and seconded by Commissioner Donahue, the Commission voted 6-0 to adjourn the meeting at 6:29 PM.