



# 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.

## Commission Members

Joseph Charpentier – *Chair*  
Peter McKone - *Vice Chair*  
Amanda Amory  
Jordan Berg Powers  
Henry Fields

## Contacting the Commission

Division of Planning & Regulatory Services serves as the Commission's staff.

- **Address:** City Hall, 455 Main St, Room 404, Worcester, MA 01608
- **Hours:** M-F 8:30am-2:00pm
- **Phone:** 508-799-1400 ext. 260
- **Email:** [planning@worcesterma.gov](mailto:planning@worcesterma.gov)

The Conservation Commission is committed to ensuring that its public meetings are accessible to people with disabilities. Should you require auxiliary aids, services, written materials in other formats, reasonable modifications in policies and procedures, please call 508-799-1400 x260 in advance of the scheduled meeting.

## Division of Planning & Regulatory Services

### *Our Mission:*

To provide credible, timely, and accessible data and analysis for decision-making and problem solving for land and programmatic development

### *Division Staff:*

Stephen S. Rolle, Assistant Chief  
Development Officer  
Domenica Tatasciore, Chief Planner  
Luba Zhaurova, Sustainability Proj. Mgr.  
Michelle M. Smith, Senior Planner  
Michael Antonellis, Planning Analyst  
Deborah Steele, Prin. Staff Assistant  
Marlyn Feliciano, Staff Assistant III

## Upcoming Meetings

May 16, 2016  
June 6, 2016  
June 27, 2016  
July 25, 2016  
August 15, 2016  
September 12, 2016  
September 26, 2016  
October 24, 2016  
November 14, 2016  
December 12, 2016

**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

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**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

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### 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

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**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.  
Public Hearing Opening Deadline: WPA – n/a; WPO –5/27/2016  
Constructive Grant Deadline: WPA –5/3/2016; WPO – n/a

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**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

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**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 and 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

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**7. 32 (aka 36) Millbrook Street & 70 Gold Star Boulevard (MBL 13-30A-05-07 & 13-30A-00002) (CC-2016-017)**

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

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## **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:**

- a. Notice of Foreclosure at 24 Amber Street; from City of Worcester Office of Administration & Finance – Treasurer & Collector's Division; received 3/15/2016.
- b. Notice of National Grid's 2016 ROW Vegetation Maintenance; from National Grid; received 4/11/2016.
- 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.
- d. Notice of FEMA Risk Mapping Meeting for Nashua River Watershed on 4/27/16; received 4/11/2016.
- e. Division of Fisheries & Wildlife – Conservation & Management Permit for the Greenwood Street Landfill – Solar Array Construction; from the Massachusetts Division of Fisheries & Wildlife; dated February 25, 2016; received 4/13/2016.
- 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**