



City of Worcester Conservation Commission Meeting Agenda

Monday, March 20, 2017

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
Tunde Baker
Jordan Berg Powers
Christian Escobar

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. 31440
- **Email:** 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 x31440 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
Susan Arena, Preservation Planner
Deborah Steele, Prin. Staff Assistant

Upcoming Meetings

April 3, 2017
May 1, 2017
May 22, 2017
June 12, 2017
July 10, 2017
July 31, 2017
August 21, 2017
September 11, 2017
October 2, 2017
October 23, 2017
November 13, 2017
December 4, 2017

Call to Order: 5:30 pm

Approval of Minutes: 8/4/2016

Requests for Continuances, Postponements, Withdrawals:

Public Hearings:

Unfinished Business – Notices of Intent:

1. 0 & 770 Franklin Street (MBL 17-024-0203A & 17-024-02+03) (CC-2016-048)

Application: Notice of Intent

Applicant: Cesmir Spiro

Project: The construction of a new road (aka Kiara Drive), 9 single-family semi-detached dwellings (duplexes), and associated off-street parking, along with related grading, drainage, utilities, and site work, on property located at 0 & 770 Franklin Street.

Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100' buffer zone, associated with a bordering vegetated wetland and within the Stormwater Protection Zone

Public Hearing Opened: 1/9/2017

2. 0 (aka 1) & 37 Firglade Street & 19 Briarcliff Street (MBL 25-018-001-R & 25-016-73+74) & within the Firglade Street & Balmoral Street Right-of-Ways (CC-2016-074)

Application: Notice of Intent

Applicant: Paul Valente

Project: To construct 4 single-family detached dwellings, along with related site work, on property located at 0 (aka 1) & 37 Firglade Street and 19 Briarcliff Street and to conduct grading, paving, and drainage associated with improvements within the Firglade Street Right-of-Way.

Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance - The proposal shall occur within the 100' buffer to bank and/or a bordering vegetated wetland, associated with an unnamed stream and its possible riverfront area, and within the stormwater protection zone.

Public Hearing Opened: 1/30/2017

3. 0 (aka lot 1 or 215; formerly part of 231) Lake Avenue (MBL 17-029-002-1) (CC-2017-005)

Application: Notice of Intent

Applicant: One Waterfront, LLC

Project: To construct a single-family detached dwelling along with associated site work on property located at 0 Lake Avenue and within the abutting right-of-way.

Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100' buffer zone associated with the bank of Lake Quinsigamond and an unnamed perennial stream, and/or associated bordering vegetated wetlands and within riverfront area, bordering land subject to flooding, and the stormwater protection zone

Public Hearing Opening Deadline: WPA – 2/23/2017; WWPO - 13/19/2017

Unfinished Business – Notices of Intent:

4. 1 & 2 Rice Street (MBL 53-003-00001; -00002; & -00007) aka Worcester Country Club and within the East Mountain Street Right of Way (~1,000' northwesterly of Briar Lane) (CC-2017-007)

Application: Notice of Intent
Applicant: City of Worcester Department of Public Works & Parks
Project: To re-construct a collapsed retaining wall associated with the East Mountain Street Right-of-Way and associated site work at 1-2 Rice Street and within the East Mountain Street Right-of-Way.
Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within bank and/or bordering vegetated wetlands, associated with Poor Farm Brook, within the 100' buffer zone thereto, within Riverfront Area, and within the stormwater protection zone
Public Hearing Opening Deadline: WPA – 3/3/2017; WWPO - 3/27/2017

New Business – Requests for Determination of Applicability:

5. 337 (aka 333) Southwest Cutoff (MBL 45-033-00005) and within the abutting right-of-way (CC-2017-012)

Application: Request for Determination of Applicability
Applicant: Massachusetts Electric Company d/b/a National Grid
Project: To seek determination as to whether or not the proposed work associated with replacement of a utility pole and related site work, is subject to the Commission's jurisdiction.
Jurisdiction: The City of Worcester Wetlands Protection Ordinance - The proposal shall occur within the 100' buffer to the bank of Broadmeadow Brook and/or bordering vegetated wetlands associated therewith and within the stormwater protection zone
Public Hearing Opening Deadline: 4/14/2017
Constructive Grant Deadline: TBD

6. 337 (aka 333) Southwest Cutoff (MBL 45-033-00005) and within the abutting right-of-way (CC-2017-013)

Application: Request for Determination of Applicability
Applicant: United Material Management of Millbury, LLC
Project: To seek determination as to whether or not the proposed work associated with the installation of utilities and related site work, is subject to the Commission's jurisdiction.
Jurisdiction: The City of Worcester Wetlands Protection Ordinance - The proposal shall occur within the 100' buffer to the bank of Broadmeadow Brook and/or bordering vegetated wetlands associated therewith and within the stormwater protection zone
Public Hearing Opening Deadline: 4/14/2017
Constructive Grant Deadline: TBD

7. 6 Maverick Road & 12 Othello Road (MBL 17-31A-00132 & 17-31A-00109) and within the Maverick Road Right-of-Way (CC-2017-015)

Application: Request for Determination of Applicability
Applicant: Michael Koykka
Project: To seek determination as to whether or not the proposed work associated with private street maintenance and stabilization of a stream embankment, along with related grading and site work, is subject to the Commission's jurisdiction.
Jurisdiction: The Massachusetts Wetland Protection Act and the City of Worcester Wetlands Protection Ordinance - The proposal shall occur within the 100' buffer zone associated with the bank of an unnamed stream, and/or associated bordering vegetated wetlands, and possibly within riverfront area
Public Hearing Opening Deadline: WPA – 3/22/2017; WWPO - 4/14/2017
Constructive Grant Deadline: TBD

New Business – Requests for Determination of Applicability:

8. 18 Bullard Avenue (MBL 46-022-307-2) (CC-2017-016)

Application: Request for Determination of Applicability
Applicant: JEKN, LLC
Project: To seek determination as to whether or not the proposed work associated with the construction of a single-family detached dwelling and related site work is subject to the Commission's jurisdiction
Jurisdiction: The City of Worcester Wetlands Protection Ordinance - The proposal shall occur within the stormwater protection zone
Public Hearing Opening Deadline: 4/15/2017
Constructive Grant Deadline: TBD

New Business – Notices of Intent:

9. 20 Jolma Road (MBL 38-24A-00004) (CC-2016-067)

Application: Notice of Intent
Applicant: Rob Otto, of Landry's Bicycles
Project: To construct a ~5,203 SF structure, to be used as a warehouse, along with associated re-configuration of the parking areas and related site work, on property located at 20 Jolma Road.
Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100' buffer to a bordering vegetated wetland and within the stormwater protection zone
Public Hearing Opening Deadline: WPA – 3/20/2017; WWPO – 3/20/2017

10. 3 A & B – 11 A & B Burncoat Heights & 608 (fka 604) Burncoat Street (MBL 32-055-0003A & -0003B through -0011A & -0011B) (CC-2016-070)

Application: Notice of Intent
Applicant: Burncoat Heights Trust
Project: To construct a subdivision, including a cul-de-sac and 10 single-family semi-detached dwellings (duplexes), along with associated infrastructure and site work, on the properties located at Burncoat Heights.
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 – 3/20/2017

11. 21 (aka 29) Quaboag Street (MBL 51-002-56+57) (CC-2017-009)

Application: Notice of Intent
Applicant: Zaymir Kallasi
Project: To seek retroactive approval to construct additions to the existing single-family detached dwelling and to construct accessory structures along with related site work.
Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal occurred within the 100' buffer to the bank of Tatnuck Brook, within its associated riverfront area and bordering land subject to flooding, and within the stormwater protection zone
Public Hearing Opening Deadline: WPA – 3/20/2017; WWPO - 3/25/2017

12. 72 Bay Edge Drive (MBL 41-011-00019) (CC-2017-014)

Application: Abbreviated Notice of Intent
Applicant: Joseph M. Fontecchio
Project: To remove a deck and construct an addition to an existing single-family detached dwelling, along with related grading, drainage, and site work, on property located at 72 Bay Edge Drive.
Jurisdiction: The Massachusetts Wetland Protection Act and the City of Worcester Wetlands Protection Ordinance – 100' buffer to the bank of Lake Quinsigamond and within the stormwater protection zone
Public Hearing Opening Deadline: WPA – 3/22/2017; WWPO – 4/15/2017

New Business – Requests to Amend Orders of Conditions:

13. 128 Alvarado Avenue (MBL 41-026-00137) (CC-2017-017)

Application: Request to Amend an Order of Conditions
Applicant: Elli Realty Trust
Project: To modify the original approval (CC-2008-045) to construct a subdivision with five single-family homes and related improvements, including grading, paving, and drainage, along with related site work
Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100' buffer to a bordering vegetated wetland and within the stormwater protection zone

Public Hearing Opening Deadline: WPA – 3/22/2017; WWPO - 4/15/2017

14. 0 (aka 42), 0 (aka 30) & 20 Quinsigamond Avenue (MBL 05-022-01+02, 05-022-0102A, & 05-022-0102B) (CC-2017-018)

Application: Request to Amend an Order of Conditions
Applicant: NSTAR Gas Company d/b/a Eversource Energy
Project: To modify the approval (CC-2016-029) to clean-up/conduct remediation (e.g. excavation, processing, and disposal) of hazardous materials (e.g. contaminated soil, water, and debris), in compliance with the requirements of the Massachusetts Contingency Plan, along with site work associated therewith, on property located at 0 (aka 42), 0 (aka 30), & 20 Quinsigamond Avenue.
Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within bordering land subject to flooding and the Stormwater Protection Zone

Public Hearing Opening Deadline: WPA – 3/29/2017; WWPO - 4/22/2017

15. 7 Egan Avenue (MBL 34-038-00157) (CC-2017-019)

Application: Request to Amend an Order of Conditions
Applicant: EBT, Inc.
Project: To modify the original approval (CC-2015-040) to construct a single-family detached dwelling and related site work.
Jurisdiction: The Massachusetts Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance – The proposal shall occur within the 100' buffer zone to the bank and/or bordering vegetated wetlands, associated with a stream, within the bank thereto, and within the stormwater protection zone

Public Hearing Opening Deadline: WPA – 3/29/2017; WWPO - 4/22/2017

Other Business:

16. Request for Determination of Significance and Subsequent Action due to a Project Change relative to an Order of Conditions for Remediation Activities at 0 (aka 30), 20, & 42 (aka 40) Quinsigamond Avenue (CC-2016-013 & -029; MassDEP #: 349-1127)

17. Requests for Certificate of Compliance:

- a. 501-505 Mill Street "Center Hill" Project (CC-2001-027)

18. Request for Performance Bond Release for 501-505 Mill Street "Center Hill" Project (CC-2001-027)

19. Requests for Extension of Time

- a. Order of Conditions for Arboretum Village Estates – Phase IV (Bittersweet Boulevard; Indigo Circle; Snowberry Circle) (CC-2009-042; DEP 349-1031)
- b. Country Club Acres (aka Garrison Avenue & 190 East Mountain Street; Cobblestone Lane) (fka Paradise Point) (CC-2007-025 & DEP #349-931)
- c. Order of Conditions for 100 (fka) Goldthwaite Road (aka White Birch Commons; (fka Burncoat Gardens)) (CC-2013-057 & DEP #249-1075)
- d. Order of Conditions for Eskow Road (CC-2009-001; 349-964)

Other Business:

20. Enforcement Order Updates:

- a. Arboretum Village Estates (CC-EO-2016-002)
 - i. Turbidity Sampling Results for the months of November & December 2016 and January & February 2017; from EcoTec, Inc.; received on various dates.
- b. 128 Alvarado Avenue (CC-EO-2016-004)
- c. 21 (aka 29) Quaboag Street (CC-EO-2016-005)
- d. Country Club Acres (aka Garrison Avenue & 190 East Mountain Street; Cobblestone Lane) (fka Paradise Point) (CC-2007-025 & DEP #349-931) (CC-EO-2016-006)
- e. 100 (fka) Goldthwaite Road (aka White Birch Commons; (fka Burncoat Gardens)) (CC-2013-057 & DEP #249-1075 (CC-EO-2017-001))

21. Communication:

- a. 40 Quinsigamond Avenue IRA Plan Modification; from Amec Foster Wheeler; dated 11/2/2016; received 3/2/2017.
- b. Invitation to the FEMA Blackstone Watershed Risk MAP Discovery Meeting on 3/27/2017; from the United States Geological Survey & Massachusetts Department of Conservation & Recreation; received 3/3/2017.

22. Land Acquisition and Land Management:

- a. Land Management Updates
- b. Land Acquisition Updates

23. Draft Policy Regarding Project Changes

24. Suggestions for Changes with Regard to the City of Worcester Wetlands Protection Regulations

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

26. Signing of Decisions

Adjournment