

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

June 3, 2019

WORCESTER CITY HALL – LEVI LINCOLN CHAMBERS

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

Conservation Commission Members Absent: Christian Escobar

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

Call to Order

The Chair called the meeting to order at 5:40 p.m.

Requests for Continuances, Postponements, and Withdrawals

Item #1 0 Meadowbrook Road (MBL 25-042-0003A)

File #: CC-2019-013; DEP # 349-1242

Project: To construct a single family house, construct a cul-de-sac, and conduct associated site work

Item #2 20 Pine Hill Road (MBL 38-035-00004)

File #: CC-2019-014; DEP # 349-1238

Project: To construct a single family house and conduct associated site work

Item #3 249, 261, & 265 Lake Avenue (MBL 17-029-00010, 17-030-0002A, -00002)

File#: CC-2019-026; DEP# 349-XXXX

Project: To demolish five existing buildings and construct four single family dwellings with associated grading, utilities, and site work.

Item #5 347A Greenwood Trail and the abutting portion of the Southwest Cutoff (AKA Route 20) Rights-of-Way (MBL 29-047-0007A)

File#: CC-2019-028; DEP# 349-XXXX

Applicant: Town of Auburn

Project: To install a sewage force main from Pinrock Road pump station to the Upper Blackstone treatment facility, with associated site work, and to request a waiver of performance standard 4.2.4.

Item #9 128 Alvarado Avenue

Project Change Request

(CC-2008-045/CC-2017-017; DEP#349-963)

Item #10 128 Alvarado Avenue

Request for Extension of Time

(CC-2008-045/CC-2017-017; DEP#349-963)

Upon a motion by Commissioner Amory and seconded by Commissioner Canton, the Commission voted 4-0 to continue Items #1, 2, 9, and 10 and postpone Items # 3 and 5 to June 24, 2019.

Approval of Minutes: none

New Business – Notices of Intent

Item #4 **332 Millbury Street (MBL 05-023-0020A), 75 Quinsigamond Avenue (MBL 05-023-00093), Associated Rights-of-Way, and Rights-of-Way Associated with Arwick Avenue and Harding Street**
File#: CC-2019-027; DEP# 349-XXXX
Applicant: Massachusetts Department of Transportation
Project: To reconfigure and resurface the roadway and perform associated site work, including new crosswalks, traffic signals, and improved accessibility.
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Amory and seconded by Commissioner Canton, the Commission voted 4-0 to close the public hearing. Upon a motion by Commissioner Amory and seconded by Commissioner Canton, the Commission voted 4-0 to issue an Order of Conditions.

Item #6 **19 Heard Street (AKA Hadwen Park) (MBL 15-029-00004)**
File#: CC-2019-030; DEP# 349-XXXX
Applicant: City of Worcester Department of Public Works & Parks
Project: Construct an elevated pedestrian boardwalk along part of Curtis Pond and related site work and to request a waiver of performance standard 4.2.4
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: The applicant's representative discussed the project and answered questions from the Commission and staff. As the item had not yet been issued a file number and in order to address Commissioners' comments, upon a motion by Commissioner Amory and seconded by Commissioner Canton, the Commission voted 4-0 to close the continue the public hearing until June 24, 2019.

New Business – Requests for Determination of Applicability

Item #7 **Rights-of-Way throughout the City of Worcester**
File#: CC-2019-029
Applicant: City of Worcester Department of Public Works & Parks
Project: Conduct a Vegetation Management Plan and related site work
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Amory and seconded by Commissioner Khaled, the Commission voted 4-0 to issue a positive determination confirming resource area delineation.

Other Business

Item #8 **Informational Presentation**
a. "The Value of Coldwater Fisheries" – Peter Coffin, Blackstone River Coalition

Item #9 **Other Business**
b. Request to waive re-filing fees – Jonathan Thomas, Whippoor LLC
Action: Upon a motion by Commissioner Canton and seconded by Commissioner Amory, the motion failed 0-4 to waive the re-filing fees for Malden Woods.

Item #8 **Requests for Certificates of Compliance**
c. 15-17 Wheeler Avenue (CC-2017-031)
Action: Upon a motion by Commissioner Canton and seconded by Commissioner Amory, the motion failed 0-4 to issue a Certificate of Compliance.
d. 179 Mower Street (CC-2017-068)
Action: Upon a motion by Commissioner Amory and seconded by Commissioner Canton, the Commission voted 3-1 to issue a Certificate of Compliance, with Commissioner Khaled voting against.
e. 770 Salisbury Street (DEP#349-355)
Action: Upon a motion by Commissioner Amory and seconded by Commissioner Canton, the Commission voted 4-0 to issue a resolution to clear the title.
f. Toronita Avenue (CC-2004-052; DEP#349-803)
Action: Upon a motion by Commissioner Amory and seconded by Commissioner Canton, the Commission voted 4-0 to issue a resolution to clear the title for order under the local ordinance only.

Item #9 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)
The applicant's scientist will provide an update at the next meeting 6/24/19; monitoring reports are required
- b. Country Club Acres (AKA Garrison Avenue & 190 Mountain Street East; Cobblestone Lane (FKA Paradise Point)) (CC-2007-025; DEP #349-931; CC-2019-010; EO-2017-009; UAO-CE-18-6W001)
Applicant needs to submit additional documents for new OOC, including revised plans.
- c. 20 Quinsigamond Avenue (CC-EO-2018-004)

Action: Upon a motion by Commissioner Amory and seconded by Commissioner Canton, the Commission voted 4-0 to begin issuing fines of \$100/day starting on 6/25/19 if the applicant does not provide requested items regarding compensatory storage required under the existing enforcement order by the next meeting on 6/24/19.

- d. 72 Upland Street (CC-EO-2018-005)
- e. 128 Alvarado Ave (CC-2008-045 / CC-2017-017)
- f. 37 Pleasant Valley Drive (AKA Lincoln Village)
This is a new violation for clearing vegetation within 15' of resource area identified as an intermittent stream. Four representatives attended. Staff will schedule site walk to determine boundary of resource area and will present remediation actions at next meeting.
- g. 170 South Flagg Street (CC-EO-2018-003)
Staff will contact homeowner and conduct a site visit to ensure the restoration plantings wintered successfully.

Item #10 Communication

- a. Fiscal Impacts of Land Use in Massachusetts: *Up to date Cost of Community Service Analyses for 4 Massachusetts Communities*, from University of Massachusetts Amherst, received 5/21/19

Item #11 Discussion of Commission Regulations, Processes & Procedures

- a. Vote to accept the modified submittal requirements public guidance document
Item held until 6/24/19
- b. Discuss adoption of stormwater policy
Changes will be proposed and voted at next meeting 6/24/19

Item #12 Discussion of Special Conditions and Issuance of Orders of Conditions

Item #13 Signing of Decisions

Adjournment

Upon a motion by Commissioner Amory and seconded by Commissioner Canton, the Commission voted 4-0 to adjourn at 8:27 pm.