

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

**Monday October 4th, 2021**

Worcester City Hall - Levi Lincoln Chamber, with remote participation options available via Webex online at <https://cow.webex.com/meet/conservationcommissionwebex> and call-in number 415-655-0001 (Access Code: 1609734358).

**Conservation Commissioners Present:** Joseph Charpentier, Chair  
Amanda Amory  
Sarah French

**Conservation Commissioners Participating Remotely:** Devin Canton, Vice Chair

**Conservation Commissioners Absent:** Holly Jones

**Staff Present:** Stephen Cary, Division of Planning & Regulatory Services (DPRS)

**Staff Participating Remotely:** Michelle Smith, Division of Planning & Regulatory Services

**Call to Order** – Chair Charpentier called the meeting to order at approximately 5:35 PM.

**Requests for Continuances, Extensions, Postponements, and Withdrawals**

**Item 1 - 0 (aka 668) Burncoat Street - Notice of Intent (CC-2021-048; DEP#349-1307)**

*Request to continue the public hearing to 10/25/2021.*

**Item 5. 1087A&B & 1089A&B Millbury Street, 18 Leland Street, and the Leland Street ROW – Notice of Intent (CC-2021-057)**

*Request to postpone to 10/25/2021.*

**Item 8a - Burncoat Heights – Request for Certificate of Compliance (CC-2016-070; CC-EO-2019-001)**

*Request to postpone to 10/25/2021.*

**Item 8b - 4 Gaylord Street - Request for Certificate of Compliance (CC-2019-037)**

*Request to postpone to November 15, 2021*

**Item 8c - 668 Burncoat Street – Request for Certificate of Compliance (CC-2019-054; DEP#349-1255)**

*Request to postpone to 10/25/2021.*

Michelle Smith read the requests for postponement into the record.

**On motion by Commissioner French, seconded by Commissioner Amory, the Commission voted 4-0 to grant the requested continuance and postponements.**

### **Old Business**

#### **Item 2 - 135 Goddard Memorial Drive and 3 Coppage Drive (CC-2021-05; DEP#349-1309) – Notice of Intent**

Scott Morrison gave an overview of the proposed work, Mike Andrade provided additional information.

Commissioner Amory asked for clarification about the spillway; Mr. Morrison clarified about how spillway was created and responsibility for it going forward; Mr. Andrade clarified about equipment that will be used.

Commissioner French asked how they were classifying the work; Mr. Morrison explained that they aimed to comply with (water) bank standards; Ms. Smith further clarified about bordering vegetated wetlands.

Commissioner French asked about total area of impact; Mr. Morrison clarified and discussed regulations that apply here.

Commissioner Amory asked about outflow pipe and the flow from it, asked if swale will eventually be dry; Mr. Andrade stated that it will not be and described other inputs.

Commissioner French asked if they would be doing invasive species monitoring; Mr. Andrade stated that intent is to excavate out existing invasives and described intended management practices; Mr. Morrison referred to stormwater report operation and maintenance plan.

Chair Charpentier asked about construction phasing; Mr. Morrison clarified; Chair Charpentier expressed concern for downstream wetlands; Chair Charpentier asked about discharge down steep slope; Mr. Morrison stated where surface would be loamed and seeded.

Commissioner Amory asked about steepness of gradient where water cascades; Mr. Morrison clarified; Commissioner Amory asked about distance to wetlands from slope; Mr. Morrison clarified about 60 feet.

### **Public Comment**

**No comment.**

Ms. Smith stated staff comments regarding construction phasing and staging; asked for detail of access path and how materials will be staged on the site, ensuring that there is the correct size pump, for example; Mr. Morrison described applicant efforts to make the staging and sequencing clear.

Chair Charpentier stated that they can close hearing and work with staff to draft condition or they can continue.

Ms. Smith recommended that they continue to the next meeting; stated that staff will get comments to applicant by midweek.

**On a motion by Commissioner Amory, seconded by Commissioner French, the Board voted 4-0 to continue the hearing to the October 25<sup>th</sup> meeting.**

### **New Business**

#### **Item 3 - 10 Lake Avenue North (aka Quinsigamond State Park (CC-2021-056) – Request for Determination of Applicability (RDA)**

Matt Anaskaywich on behalf of applicant described proposed work.

Chair Charpentier asked for clarified on the erosion control barrier and existing vault and whether it was a new installation; Mr. Andrade stated it would be new installation and that it is proposed to be done as soon as possible.

Commissioner Amory asked how long it would take; Mr. Andrade stated it would take less than a week; Commissioner Amory asked about equipment to be used; Mr. Andrade explained.

Commissioner Canton asked about efforts to protect existing trees; Mr. Andrade stated that he is not aware of any large trees that would be impacted; stated that efforts would be made.

Ms. Smith suggested that they ask applicant to ensure that there will be no fill, as it is in the floodplain.

#### **Public Comment**

**No public comment.**

**On a motion by Commissioner Amory, seconded by Commissioner French, the Commission voted 4-0 to issue a negative determination with conditions as suggested by staff.**

#### **Item 4 - 112 Forest Street (CC-2021-058) – Request for Determination of Applicability (RDA)**

Samantha Walker, BSC Group, on behalf of applicant, described proposed work; stated that this is an after-the-fact RDA and follows an emergency certification that a power outage necessitated; described work that was done and erosion control measures taken.

#### **Public Comment**

**No public comment.**

**On a motion by Commissioner Amory, seconded by Commissioner French, the Commission voted 4-0 to issue a negative determination.**

## **Item 6 - 189 and part of 191 May Street (CC-2021-059) – Notice of Intent (NOI)**

Patrick Healy of Thompson-Liston Associates described the proposed addition to the existing building; described changes to impervious surface and site layout, site improvements, and slope stabilization measures; described efforts to mitigate drainage issues; described construction phasing.

Chair Charpentier asked for clarification on stormwater report and the proposed detention basins; Mr. Healy described the scope of the stormwater report and the location of the design points on site; described efforts to control runoff into basin; Chair Charpentier asked where detention basin drains to; Mr. Healy clarified.

Commissioner French asked if client would consider a permeable pavement; Mr. Healy stated his opinion that this would not be a suitable location for permeable pavement.

Commissioner Amory asked for the timeframe of the construction sequencing; Mr. Healy stated that it would be 9-12 months between construction beginning and pavement being put down.

Commissioner Canton asked for clarification on the site entrance mat and wash down during phases of construction; Mr. Healy clarified.

Chair Charpentier stated that he would like to see detention basin reflected on the plans and is hesitant to move forward until seeing how it will function; Mr. Healy stated he would consider it a retention basin, not an infiltration basin; it will soak into the ground but more slowly than an infiltration basin.

Commissioner Amory stated that she would like to walk the area; Mr. Healy stated he was amenable to a site walk.

### **Public Comment**

**There was no public comment.**

**On a motion by Commissioner Amory, seconded by Commissioner French, the Commission voted 4-0 to continue to the hearing to the October 25<sup>th</sup> meeting.**

## **Other Business**

### **7. Extensions of Time**

#### **a. Brookline Street Extension (CC-2017-027; DEP 349-1167)**

Ms. Smith described work that has been done and the work that was proposed; described that applicant is requesting an extension of the approval from the Commission.

Applicant described the stabilization measures currently being taken.

Commissioner French asked if there was disturbed areas that need to be seeded; applicant stated that areas had been seeded.

**On a motion by Commissioner Amory, seconded Commissioner French, the Commission voted 4-0 to grant the extension of time.**

Ms. Smith stated that she would perform a site visit prior to signing off on building permits.

**8. Requests for Certificates of Compliance**

- a. **Burncoat Heights (CC-2016-070; CC-EO-2019-001)**
- b. **4 Gaylord Street (CC-2019-037)**
- c. **668 Burncoat Street (CC-2019-054; DEP#349-1255)**
- d. **Lots 1-4 Whisper Drive (CC-2019-038)**

Ms. Smith described her findings from her site visits, that site appears stable.

**On a motion by Commissioner Amory, seconded Commissioner French, the Commission voted 4-0 to issue the certificate of compliance.**

- e. **29 Sophia Drive (CC-2006-059; DEP#349-906)**

Ms. Smith described the history of this Order of Conditions; stated that site appears stable.

**On a motion by Commissioner Amory, seconded Commissioner French, the Commission voted 4-0 to issue the certificate of compliance.**

- f. **3 Matteo Street (CC-1998-103)**

Ms. Smith stated that site appears stable.

**On a motion by Commissioner Amory, seconded Commissioner French, the Commission voted 4-0 to issue the certificate of compliance.**

**9. Enforcement Order and Violation Updates**

- a. **White Birch Commons FKA Burncoat Gardens FKA Goldthwaite Road (CC-EO-2017-001)**
- b. **217 Lake Avenue (CC-EO-2020-004)**
- c. **449 Massasoit Road (CC-EO-2020-006)**
- d. **Across from 133 North Lake Avenue – East side of Lake Avenue North Right-of-Way (between Dominion Road & Belcourt Road) and Lake Quinsigamond (CC-EO-2020-007)**
- e. **Across from 175 North Lake Avenue – East side of Lake Avenue North Right-of-Way (between Belcourt Road & Sonoma Drive) and Lake Quinsigamond (CC-EO-2020-008)**
- f. **99 Wildwood Avenue (CC-EO-2020-009)**
- g. **166 Moreland Street (CC-EO-2020-011)**
- h. **522 Grove Street (CC-EO-2020-014)**
- i. **0 Myrick Avenue (CC-EO-2020-015)**
- j. **Modoc Street (CC-EO-2021-001)**

Ms. Smith described findings from site visit and measures that applicant is going to take; stated that amendment to Orders of Condition is forthcoming.

- k. **75 Harrington (CC-EO-2021-003)**
- l. **40 June Street Terrace (CC-EO-2021-004)**
- m. **12 AKA 0 Balis Avenue (CC-EO-2021-005)**
- n. **1087-1089 Millbury Street and 18 Leland Street (CC-EO-2021-006)**

Ms. Smith asked Chair Charpentier to recap the site visit; Chair Charpentier described site visit; stated his concern for existing berm above the site and that he would like to see continuous slope;

Applicant's representative described site issues and proposed solutions.

Chair Charpentier summarized the shortcomings of the plans that have been submitted; Chair Charpentier stated that Commission would like to see a stamped plan certifying that back slope is stable; Chair Charpentier stated that stormwater issues need to be handled on the site; reiterated that a real engineered plan is needed.

Ms. Smith reviewed what Commission asked for at the last hearing and described what has been received.

Chair Charpentier stated that this might need to be held during winter.

Commissioner Amory asked about stormwater report; Ms. Smith described what has been submitted.

Ms. Smith stated that there is no need to amend the enforcement order.

Chair Charpentier stated that they will revisit this at next hearing.

**o. 269 James Street (CC-EO-2021-007)**

**p. 90 AKA 100 Camelot Street AKA Farber Field (CC-EO-2021-008)**

**10. Communications**

**a.** Notice of commencement; 2021 Yearly Operational Plan for Vegetation Management Plan for CSX Railroad (CC-2020-016); from Wood Environment and Infrastructure Solutions, Inc.; received 9/27/2021.

**11. Approval of Minutes – 5/24/2021; 8/2/2021; 8/23/2021; 9/13/2021**

The approval of minutes was held to the next meeting.

**12. Policies and Procedures**

Commissioner Amory asked about scheduling site walks before items are on the agenda.

Chair Charpentier and Commissioner Amory discussed procedure for site walks.

Commissioner Amory described issued with Google Drive access.

**Adjournment**

**The Commission voted unanimously to adjourn the meeting at 7:14pm.**