



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

**Monday, July 22nd, 2024**

Worcester City Hall – Levi Lincoln Chamber,  
with remote participation options available via WebEx online at  
<https://cityofworchester.webex.com/meet/conservationcommissionwebex> and  
call-in number 1-844-621-3956 (Access Code: 2631 737 2697).

**Commissioners Present:** Andrew Truman, Chair  
Diane Fratoni, Commissioner  
Stuart Kirshner, Commissioner  
Timothy Magliaro, Commissioner  
Lindsay Nystrom, Commissioner

**Commissioners Absent:** Devin Canton, Vice Chair

**Staff Present:** Eric Flint, Division of Planning & Regulatory Services (DPRS)  
Mattie VandenBoom, Division of Planning & Regulatory Services (DPRS)

**Call to Order**

**Chair Truman called the meeting to order at approximately 5:30 p.m.**

**Requests for Continuances, Postponements and Withdrawals**

**Item 1 – Transmission Lines O141/P142 (between Millbury Town Line and the Bloomingdale Substation and between West Boylston Town Line and the Nashua Street Substation) – Request for Determination of Applicability (CC-2024-054)**

Request to postpone the public hearing to 08/12/24 & extend the constructive grant deadline to 09/10/2024

**Item 2 – 116 Northeast Cutoff (CC-2023-068 & DEP#349-1378)**

Request to continue the public hearing to 08/12/24 & extend the constructive grant deadline to 09/10/2024

**Item 3 – 1256 West Boylston Street – Notice of Intent (CC-2023-076 & DEP#349-1379)**

Request to continue the public hearing to 08/12/24 & extend the constructive grant deadline to 09/10/2024

**Item 4 – 487 Park Avenue – Notice of Intent (CC-2023-058)**

Request to postpone the public hearing to 08/12/24 & extend the constructive grant deadline to 09/10/2024

**Item 8 – 6 Lanesboro Road – Notice of Intent (CC-2024-046 & DEP#349-1XXX)**

Request to postpone the public hearing to 08/12/24 & extend the constructive grant deadline to 09/10/2024

**Item 11 – 11 Parker Street & 54 Mason Street (CC-2024-051)**

Request to postpone the public hearing to 08/12/24 & extend the constructive grant deadline to 09/10/2024

Chair Truman read the requests for continuances, postponements, and withdrawals into the record.

*Upon a motion by Commissioner Magliaro, seconded by Commissioner Fratoni, the Commission voted 5-0 to postpone the public hearings and extend the constructive grant deadlines to the dates noted.*

**New Business – Notices of Intent**

**5) 11 Cliff Street (MBL 31-003-0006A) – Notice of Intent (CC-2024-037 & DEP#349-1398)**

Robert Murphy, Robert G. Murphy & Associates, INC, Environmental Consultants, on behalf of the applicant, Danilo Matos, reviewed construction of a commercial building, parking lot, stormwater management system, plant nursery, and related sitework. There is a stream located on the adjacent property and all purposed work will the 30' buffer zone. He explained that they have received a special permit from Planning Board. There is no septic system proposed for the site and the site will not have a sewer connection.

Mr. Flint explained that staff comments have been addressed with plan revisions, but he did have a question about the location of the erosion controls relative the area of disturbance. Mr. Murphy explained the location of the erosion controls will be adjusted to line up with the limit of disturbance.

Commissioner Fratoni asked why sediment removed from the temporary basin is to be handled by Millbury DPW. Mr. Murphy reviewed how the sediment removed from the temporary basin would be handled and confirmed that there was a mistake in the note on the plan.

No public Comment.

*Upon a motion by Commissioner Magliaro, seconded by Commissioner Fratoni, the Commission voted 5-0 to close the public hearing.*

In addition to the standard conditions, Mr. Flint recommended wetland flagging, revised plans showing erosion controls along the limit of work, add four native shrubs downgradient of stormwater outfall, add detail for stormwater outfall, and revise "Maintenance of Sediment Basin During Construction" note. Mr. Flint also recommended infiltration unit inspection, permanent markers, cement truck washing, equipment/material placement, as-built plan for Certificate of Compliance, and ongoing conditions for stormwater management system maintenance, pesticides, sand/salt, and snow storage.

*Upon a motion by Commissioner Fratoni, seconded by Commissioner Magliaro the Commission voted 5-0 to issue the order of conditions as discussed.*

List of Exhibits:

- Exhibit A: NOI Application; received 05/06/2024; submitted by Robert Murphy, Robert G. Murphy & Associates, INC, Environmental Consultants
- Exhibit B: Stormwater Report; received 05/06/2024; revised 07/09/2024; submitted by Robert Murphy, Robert G. Murphy & Associates, INC, Environmental Consultants
- Exhibit C: Site Plan; dated 04/10/2024; revised 07/09/2024; submitted by Robert Murphy, Robert G. Murphy & Associates, INC, Environmental Consultants
- Exhibit D: Department of Public Works and Parks comments; dated 05/17/2024; prepared by Richard Saltrick, Assistant Commissioner of Engineering
- Exhibit E: Department of Environmental Protection Comments; dated 05/24/2023; prepared by Bryanna Weigel
- Exhibit F: Division of Planning & Regulatory Services Staff Comments; dated 05/15/2024; prepared by Eric Flint and Mattie VandenBoom

**New Business – Abbreviated Notice of Resource Area Delineation**

**13) 34 Eskow Road & 224 Southwest Cutoff (MBL 34-032-00015 & 34-034-00001) – Abbreviated Notice of Resource Area Delineation (CC-2024-039 & DEP#349-14XX)**

Colleen Nebel of Centerpoint Integrated Solutions, the applicant, filed an Abbreviated Notice of Resource Area Delineation (ANRAD) to confirm the wetland delineation for 34 Eskow Road and 224 Southwest Cutoff.

Mr. Flint reviewed the purpose of an ANRAD filing and explained that no work is proposed with this type of filing. DEP has not issued a file number so the hearing will need to be continued. Mr. Flint reviewed the locations of the different resource areas onsite. Staff issued comments requesting additional information on the resource areas that were said to be non-jurisdictional and had other questions about the location of the wetland flags. The applicant’s wetland scientist met staff on site to review the wetland delineation and provided additional information on the non-jurisdictional resource areas. All staff comments have been addressed.

*Upon a motion by Commissioner Magliaro, seconded by Commissioner Kirshner, the Commission voted 5-0 to continue the discussion to August 12, 2024.*

List of Exhibits:

- Exhibit A: ANRAD Application; dated 05/07/2024; submitted by Colleen Nebel, Centerpoint Integrated Solutions
- Exhibit B: Site Plan; dated 04/26/2024; prepared by Gerry L. Holdright, Control Point Associates, Inc.
- Exhibit C: Wetland Resource Area Analysis; dated 03/28/2024; prepared by Dan Wells, LEC Environmental Consultants, Inc.
- Exhibit D: Division of Planning & Regulatory Services Staff Comments; dated 06/04/2024; prepared by Eric Flint and Mattie VandenBoom
- Exhibit E: Response to Comments; dated 07/12/2024; submitted by Colleen Nebel, Centerpoint Integrated Solutions
- Exhibit F: ILSF Determination; dated 06/20/2024; Austin Turner, Bohler

**New Business – Notices of Intent**

**7) 1125 Pleasant Street (MBL 40-020-00001) – Notice of Intent (CC-2024-043 & DEP#349-1401)**

Michael Andrade, Graves Engineering, on behalf of the applicant, Cornerstone Bank, reviewed renovation of the former Santander Bank in Tatnuck Square. The renovation involves resurfacing of parking area and walkways, landscaping, and related sitework.

Mr. Flint explained that all staff comments have been addressed by a revised plan. He provided an overview of the requirements that need to be met when working in Bordering Land Subject to Flooding (BLSF).

There were no comments from the Commission or the public.

*Upon a motion by Commissioner Fratoni, seconded by Commissioner Magliaro, the Commission voted 5-0 to close the public hearing.*

In addition to the standard conditions, Mr. Flint recommended cement truck washing, as-built plan with spot grades and 1' contours lines and provide calculations for showing compensatory flood storage was provided as proposed, and deeded conditions pesticides and sand/salt.

*Upon a motion by Commissioner Magliaro, seconded by Commissioner Fratoni, the Commission voted 5-0 to issue the order of conditions as discussed.*

List of Exhibits:

- Exhibit A: NOI Application; received 05/20/2024; submitted by Michael Andrade, Graves Engineering
- Exhibit B: Stormwater Report; received 05/20/2024; submitted by Michael Andrade, Graves Engineering
- Exhibit C: Site Plan; dated 05/20/2024; revised 07/10/2024; submitted by Michael Andrade, Graves Engineering
- Exhibit D: Department of Public Works and Parks comments; dated 06/04/2024; prepared by Richard Saltrick, Assistant Commissioner of Engineering
- Exhibit E: Department of Environmental Protection Comments; dated 07/10/2024; prepared by Bryanna Weigel
- Exhibit F: Division of Planning & Regulatory Services Staff Comments; dated 06/04/2024; prepared by Eric Flint and Mattie VandenBoom

**9) 0 Ararat Street, 1 & 12R New Bond Street (MBL 037-004-00002, 37-001-00001, & 037-004-00001) – Notice of Intent (CC-2024-048 & DEP#349-1404)**

James Cranston, Bohler, on behalf of the applicant, Worcester Business Development Corporation, reviewed demolition of select buildings, railways, and limited utility connections. The work falls within BLSF and the Stormwater Protection Zone. He stated that Weasel Brook and other wetlands are located on the property, but all work will be outside of the 100' buffer zone for those resource areas. He reviewed the erosion and sediment controls that would be in place during the demolition. The applicants have put in a Letter of Map Amendment (LOMA) with FEMA to request a change in the Base Flood (BFE) Elevation for the site. FEMA requested additional information in June. The plans show the current BFE

(555') and the proposed BFE (550.9') in the LOMA. He explained that the flood storage calculations were run with both BFEs. Mr. Cranston went through DEP's comment and addressed each one.

Roberta Brien, Worcester Business Development Corporation, reviewed the LOMA request and the findings of Beta that contribute to flooding in that area. She explained that infrastructure is undersized and not maintained, leading to the flooding in the area. She confirmed that this filing is only for demolition and site preparation.

Mr. Flint explained that staff have been working with Worcester Business Development Corporation on the development of this project. He explained that the LOMA has not been accepted yet and recommends that any order be based on the current BFE (555'). Mr. Flint reviewed the policy regarding credits for future site development. The credits are available for 3-years for future site developments. He also recommended that the Commission not confirm the boundaries of the other resource areas that are mentioned in the plan and are located outside the limit of work.

There were no comments from the Commission or the public.

*Upon a motion by Commissioner Fratoni, seconded by Commissioner Magliaro, the Commission voted 5-0 to close the public hearing.*

In addition to the standard conditions, Mr. Flint recommended findings that the delineation of the boundaries of the Bordering Vegetated Wetland, Bank, and Riverfront Area depicted on the approved plans are not confirmed by this Order of Conditions, as the limit of work is outside of the 100' buffer zone to these resource areas and therefore the Commission did not perform a detailed field review of the delineation and the boundary of Bordering Land Subject to Flooding is confirmed to be at the effective Base Flood Elevation of 555' (NAVD88). Mr. Flint recommended SWPPP reporting, and contaminants reporting (if applicable) as additional conditions.

Ms. Brien requested that the Commission allow demolition of the buildings before the appeal period has expired.

Mr. Flint was hesitant to say the Commission can authorize work prior to the validity of the Order of Conditions.

Mr. Truman stated that it would be a proceed at your own risk situation.

*Upon a motion by Commissioner Magliaro, seconded by Commissioner Fratoni the Commission voted 5-0 to issue the order of conditions as discussed.*

List of Exhibits:

Exhibit A: NOI Application; received 06/12/2024; revised 07/15/2024; submitted by John A. Kucich, Bohler

Exhibit B: Site Plan; dated 06/11/2024; revised 07/15/2024; submitted by John A. Kucich, Bohler

Exhibit C: Department of Public Works and Parks comments; dated 06/04/2024; prepared by Richard Saltrick, Assistant Commissioner of Engineering

Exhibit D: Department of Environmental Protection Comments; dated 07/10/2024; prepared by Bryanna Weigel

Exhibit E: Division of Planning & Regulatory Services Staff Comments; dated 06/04/2024; prepared by Eric Flint and Mattie VandenBoom

Exhibit F: Response to Comments; dated 07/15/2024; submitted by Andrew Steiner, Bohler

**10) 85 Shore Drive (Shore Park) (MBL 37-025-00002) – Notice of Intent (CC-2024-049 & DEP#349-1402)**

David LaPointe, Beals and Thomas, on behalf of the applicant, City of Worcester Department of Public Works and Parks, reviewed the request to conduct exploratory borings at Shore Park. The exploratory borings are to gather information to help with the design a boardwalk and floating dock.

Mr. Flint asked for confirmation that this Notice of Intent is only for the exploratory borings and not for the dock. Mr. LaPointe confirmed that this filing is only for the borings.

Mr. Flint reviewed DEP comments and confirmed that staff did not have any concerns with the project.

There were no comments from the Commission or the public.

*Upon a motion by Commissioner Fratoni, seconded by Commissioner Magliaro, the Commission voted 5-0 to close the public hearing.*

In addition to the standard condition, Mr. Flint recommended a waiver from performance standard 4.2.4 for the exploratory borings.

*Upon a motion by Commissioner Magliaro, seconded by Commissioner Fratoni the Commission voted 5-0 to issue the order of conditions as discussed.*

List of Exhibits:

Exhibit A: NOI Application; received 06/12/2024; submitted by David LaPointe, Beals and Thomas

Exhibit B: Site Plan; dated 06/10/2024; submitted by submitted by David LaPointe, Beals and Thomas

Exhibit C: Department of Public Works and Parks comments; dated 06/27/2024; prepared by Richard Saltrick, Assistant Commissioner of Engineering

Exhibit D: Department of Environmental Protection Comments; dated 07/11/2024; prepared by Rebecca Gendreau

Exhibit E: Division of Planning & Regulatory Services Staff Comments; dated 06/04/2024; prepared by Eric Flint and Mattie VandenBoom

**12) 3 Crest Avenue (MBL 45-022-00102) – Notice of Intent (CC-2024-052 & DEP#349-1403)**

Clayton Williams of Claymation Housing on behalf of the applicant, D. Sousa & Sons Realty & Development LLC, reviewed construction of a single-family house, driveway, septic system, and related site work. He did explain that there was siltation of the wetland from the site, but it has been addressed by the applicant. Silt fence has been installed to prevent anymore sediment from entering the wetland.

Mr. Flint explained that sedimentation was minor and only a violation notice was issued to the applicant. The applicant is required to remediate the resource area prior to the start of any construction.

Mr. Flint asked about the stabilization of the 2:1 slope at the back of the property and where roof runoff will be directed. Daniel Sousa, the applicant, explained that riprap was proposed for the 2:1 slope and plans on hydroseeding other parts of the slopes. Mr. Sousa was open to feedback and willing to use vegetation to stabilize the slope. He explained that the stormwater would be directed to the left rear of the lot.

Chair Truman requested that the slope be vegetated with a native seed mix instead of using riprap.

No public Comment.

*Upon a motion by Commissioner Magliaro, seconded by Commissioner Fratoni, the Commission voted 5-0 to close the public hearing.*

In addition to the standard conditions, Mr. Flint recommended wetland flagging, revised plans showing a “no mow” native seed mix for the slope stabilization in places of the proposed riprap, restoration of the wetland to the satisfaction the Conservation commission or its agent, permanent markers, cement truck washing, equipment placement, as-built plan for Certificate of Compliance request, and deeded conditions of pesticides, sand/salt, and snow storage.

Commissioner Magliaro asked if there were catch basins in the street. Mr. Flint could not confirm but based on the condition of the road, he does not believe there are any catch basins nearby. Mr. Williams agreed with Mr. Flint’s comment.

*Upon a motion by Commissioner Fratoni, seconded by Commissioner Magliaro the Commission voted 5-0 to issue the order of conditions as discussed.*

List of Exhibits:

Exhibit A: NOI Application; received 07/01/2024; submitted by Clayton Williams, Claymation Housing Solutions

Exhibit B: Site Plan; dated 06/28/2024; prepared by Elizabeth Dupre, Clear Water Environmental

Exhibit C: Wetland Review; dated 06/05/2024; David Crossman, B & C Associates Inc.

Exhibit D: Department of Public Works and Parks comments; dated 07/16/2024; prepared by Richard Saltrick, Assistant Commissioner of Engineering

Exhibit E: Department of Environmental Protection Comments; dated 07/19/2024; prepared by Bryanna Weigel

**13) Endicott Street & Bigelow Street Rights-of-Way – Notice of Intent (CC-2024-053 & DEP#349-14XX)**

Matt Soule, Weston & Sampson, on behalf of the applicant, reviewed the proposed enhancement of the roadways along Endicott Street and Bigelow Street by expanding sidewalks, redesigning parking, adding a two-way cycle lane, improving stormwater management, and related sitework. He explained that the project falls within BLSF. The project will result in fill due to the expansion of sidewalks and raised crosswalks.

Mr. Flint explained that the project is filed as a Limited Project, which would allow for leniency in meeting Bordering Land Subject to Flooding performance standards. There is net decrease in impervious surface and a decrease in peak rates for the 2yr, 5yr, 10yr, 25yr, and 100yr rain event.

Commissioner Fraton asked about the loss of flood storage capacity. 58,000 gallons of water will be displaced by this project. Mr. Soule explained the grading will pitch the water towards the streets and should not affect private property. The subsurface stone storage areas and planted stormwater basins will provide increased stormwater storage and capture the displaced water.

Mr. Flint explained that the subsurface stone storage area can help reduce flooding but cannot be included in the calculation for flood storage capacity based on the regulations.

Commissioner Fraton asked if it was the sidewalk bump outs and tabled crosswalks that were reducing the flood storage capacity of the site. Mr. Soule confirmed that the sidewalks and crosswalk are where a lot of the flood capacity is lost. He could investigate removing the tabling for the crosswalks and see how much of an impact it would have on flood storage.

Commissioner Fraton asked if the city has the resources to maintain the proposed infrastructure. Mr. Soule explained that the Department of Public Works and Parks (DPW) has been involved in the development of this project and did not express any concerns about maintenance. Mr. Flint stated that a comment letter from DPW is anticipated, which will likely have comments on the maintenance of the infrastructure.

Chair Truman asked where the low point is for the site. Mr. Flint believes that the low point is Crompton Park but this section of the city is relatively flat.

Commissioner Magliaro asked if a permeable surface was considered for the bike path. Mr. Soule explained that they had considered a permeable asphalt, but DPW does not have the equipment required to maintain it.

No public comment.

*Upon a motion by Commissioner Magliaro, seconded by Commissioner Kirshner, the Commission voted 5-0 to continue the discussion to August 12, 2024.*

List of Exhibits:

Exhibit A: NOI Application; received 07/03/2024; submitted by Megan Kearns, Weston and Sampson

Exhibit B: Site Plan; dated 07/03/2024; prepared by James I. Pearson, Weston and Sampson

Exhibit C: Division of Planning & Regulatory Services Staff Comments; dated 07/19/2024; prepared by Eric Flint and Mattie VandenBoom

Exhibit D: Response to staff comments; dated 07/19/2024; prepared by Megan Kearns, Weston and Sampson

**14) 4 & 6 Barrows Road (MBL 50-019-0005B & 50-019-0005C) – Notice of Intent (CC-2024-055)**

Patrick Healy, Thompson and Liston, reviewed the demolition of a single-family house, and construction of 2 single-family homes, driveway, stormwater management, and related site work. Mr. Healy reviewed comments that were issued and how they would be addressed in a plan revision.



Mr. Flint explained that the project is straightforward and is only within the Stormwater Protection Zone. Staff would be comfortable with issuing an order of conditions with plan revisions as a condition.

Commissioner Magliaro asked about the drain line connections. Mr. Healy explained that the city requires all new construction to have drain line connections in place.

No public comment.

*Upon a motion by Commissioner Magliaro, seconded by Commissioner Kirshner, the Commission voted 5-0 to close the public hearing.*

In addition to the standard conditions, Mr. Flint recommended revised plans showing erosion controls along the limit of work, depicting location of stockpile areas with associated erosion controls, and address any DPW comments. Mr. Flint also recommended infiltration unit inspection, cement truck washing, and ongoing conditions for stormwater management system maintenance, pesticides, and sand/salt.

*Upon a motion by Commissioner Fratoni, seconded by Commissioner Magliaro the Commission voted 5-0 to issue the order of conditions as discussed.*

List of Exhibits:

Exhibit A: NOI Application; received 07/03/2024; submitted by Patrick Healy, Thompson-Liston Associates, INC.

Exhibit B: Site Plan; dated 07/03/2024; prepared by Patrick Healy, Thompson-Liston Associates, INC.

Exhibit C: Drainage Report; dated 07/03/2024; prepared by Patrick Healy, Thompson-Liston Associates, INC.

Exhibit D: Department of Public Works and Parks comments; dated 07/16/2024; prepared by Richard Saltrick, Assistant Commissioner of Engineering

Exhibit E: Division of Planning & Regulatory Services Staff Comments; dated 07/19/2024; prepared by Eric Flint and Mattie VandenBoom

## **Other Business**

### **15) Project Change Request**

#### **a. 265 Lake Avenue (CC-2023-055 & DEP# 349-1373)**

Mitch Maslanka, Goddard Consulting, reviewed the changes to the decking and structural supports. The slope was too steep to install helical piers. Sono-tubes are now proposed for the structural supports. The upper deck and mid deck are also being expanded.

Commissioner Magliaro asked if the sono-tubes would be hand dug. Mr. Maslanka confirmed that they would be hand dug and any excess material would be disposed of offsite.

*Upon a motion by Commissioner Kirshner, seconded by Commissioner Magliaro, the Commission voted 5-0 to approve the project change request.*

List of Exhibits:

**16) Requests for Certificate of Compliance**

**a. 21 Bittersweet Boulevard (CC-2006-056 & DEP# 349-0906)**

Mr. Flint explained that this is a partial Certificate of Compliance request for home built in the Arboretum subdivision. The site has been stable for many years, but the original order was never closed out.

*Upon a motion by Commissioner Fratoni, seconded by Commissioner Magliaro, the Commission voted 5-0 to issue a partial Certificate of Compliance.*

List of Exhibits:

Exhibit A: COC Request; dated 07/08/2024; submitted by Law Office of Israel Fermin

**17) Enforcement Order and Violation Updates**

- a. 99 Wildwood Avenue (CC-EO-2020-009)**
- b. 166 Moreland Street (CC-EO-2020-011)**
- c. 522 Grove Street (CC-EO-2020-014)**
- d. 75 Harrington Way (CC-EO-2021-003)**
- e. 40 June Street Terrace (CC-EO-2021-004)**
- f. 269 James Street (CC-EO-2021-007)**
- g. 70 North Parkway AKA Burncoat Park (CC-EO-2022-002)**
- h. 3 Aster Place (CC-EO-2022-005)**

Ms. VandenBoom explained that in 2022, the Commission issued an Enforcement Order for removal of vegetation within the 15' buffer zone and bank of Leesville Pond. A restoration plan was put in place which included the installation 15 native shrubs and 250 perennial plugs and monitoring for two growing seasons (2023 and 2024). Staff visited the site on July 16<sup>th</sup>. The planted shrubs (Sweet Pepperbush, Inkberry, and Bayberry) are doing well, and bank vegetation has been reestablished. Staff recommends lifting the enforcement order.

*Upon a motion by Commissioner Fratoni, seconded by Commissioner Magliaro, the Commission voted 5-0 to issue lift the enforcement order.*

- i. 215 Lake Avenue (CC-EO-2022-007)**
- j. 4 Tiffany Avenue (CC-EO-2023-001)**
- k. 0 Mcavey Way & 1393 Grafton Street (CC-EO-2023-003)**
- l. 265 Lake Avenue (CC-EO-2023-006)**
- m. 0 Harrington Way (CC-EO-2023-009)**
- n. 570 Lincoln Street (CC-EO-2023-010)**

Mr. Flint provided an update on the restoration efforts. Sediment piles were removed by hand and restoration plantings have been planted. He recommended two years of monitoring to make sure the plantings become reestablished.

Commissioner Fratoni requested that the Commission require two years of monitoring.

Mr. Flint asked about the Commission's preference for monitoring. Chair Truman stated the applicant's wetland scientist shall do the monitoring.

*Upon a motion by Commissioner Magliaro, seconded by Commissioner Fratoni, the Commission voted 5-0 to amend the Enforcement Order.*

- o. 198 Granite Street (CC-EO-2024-001)***
- p. 3 Knollwood Drive (CC-EO-2024-002)***
- q. 86 Webster Street (CC-EO-2024-003)***
- r. Hemans Street (CC-EO-2024-004)***
- s. Salisbury Hill (CC-EO-2024-005 & DEP#349-1253)***
- t. 757 Salisbury Street (CC-EO-2024-006 & CC-2023-005)***

*There was no discussion of Items 17a-g, i-m, and o-t.*

#### **18) Communications**

- a. 158 Winifred Avenue (DEP #349-0216) Certificate of Compliance for Superseding Order of Conditions**
- b. Environmental Impact Report for Line 313.343.O141.P142 Asset Condition Refurbishment**
- c. Patch Reservoir Treatment Notification**
- d. 2024 Operational Plan for Railroad ROW Management CSX**

*There was no discussion of items 18a-d.*

#### **19) Approval of Minutes – 07/01/2024**

*Upon a motion by Commissioner Magliaro, seconded by Commissioner Fratoni, the Commission voted 5-0 to approve the minutes as presented.*

#### **20) FY25 Budget – Wetlands Protection Funds**

Mr. Flint explained that the Wetlands Protection Fund is funded by the City's portion of Wetland Protection Act fee collected when an applicant submits a notice of intent. The funds can only be used for administration of the Wetland Protection Act. Last year, \$20,000 were budgeted from that fund but only \$3,000 was used. There is about \$106,000 in the Wetland Protection Fund. A majority of the budget is allocated to trainings for staff and commissioners. Other portions of the budget are allocated towards third-party review, equipment, and MACC membership.

Commissioner Kirshner asked about revising the Wetland Protection Ordinance. Mr. Flint reviewed the process for updating the ordinance and would be willing to start the process. The Commission is aiming to have a discussion by the end of the calendar year.

Chair Truman asked about the need for a submersible camera. Mr. Flint explained that the camera would be used to get photo evidence of underwater sediment deposition.

*Commissioner Magliaro motion to approve the proposed FY2025 Budget, as drafted by staff, for eligible expenditures under the requirements of the Wetlands Protection Act; and to request that staff take all of the necessary steps to authorize allocation and expenditure of the account funds in accordance with any applicable laws. The motion was seconded by Commissioner Kirshner and passed with a 5-0 vote.*

**21) Open Space Discussion**

**a. God's Acre – Referral from City Council**

Mr. Flint explained that in March, City Council was petitioned to transfer the care and custody of 11 parcels to the Conservation Commission. All the parcels are associated with, or located within the immediate vicinity of, God's Acre. The Division of Planning & Regulatory Services (DPRS) identified three other parcels in the immediate vicinity that could be included in the transfer. Mr. Flint reviewed a memorandum prepared by DPRS to the Commission that outlined the conservation values of each of the properties in question.

Commissioner Kirshner asked if all the parcels are currently owned by the City of Worcester. Mr. Flint confirmed that all the parcels are owned by the city.

*Commissioner Kirshner motioned to recommend that the aforementioned parcels be transferred to the care and custody of the Conservation Commission for conservation purposes. The motion was seconded by Commissioner Magliaro and passed with a 5-0 vote.*

**22) Policies and Procedures**

*There was no discussion of Item 22.*

**Adjournment**

*Upon a motion by Commissioner Magliaro, seconded by Commissioner Fratoni, the Commission unanimously voted to adjourn at approximately 7:22 PM.*