

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

**August 26, 2013**

**WORCESTER CITY HALL – LEVI LINCOLN ROOM**

**Conservation Commission Members Present:** Stefanie Wood, Chair  
Jeremy Theerman, Vice-Chair  
Mia McDonald  
Jack Donahue  
Joseph Charpentier  
Jordan Berg Powers - Arrived at 5:36 p.m.

**Members Absent:** Paul Franco

**Staff Present:** Jonathan Gervais, Department of Public Works & Parks  
Abigail McCabe, Division of Planning & Regulatory Services  
Deborah Steele, Division of Planning & Regulatory Services

**CALL TO ORDER:**

The Chair called the meeting to order at 5:35 p.m.

**APPROVAL OF THE MINUTES –**

07/15/2013 – Held

Upon a motion by Commissioner Theerman and seconded by Commissioner Donahue the Commission voted 6-0 to approve the minutes of August 5, 2013.

**New Business**

**Public Hearing**

*5:37 p.m. – Chair Wood recused herself from this item and left the room.*

**1. 22 Eskow Road (CC-2013-041) –Request for Determination of Applicability:**

Thomas Keough, Senior Wetland Scientist & Permitting Specialist, from AECOM appeared on behalf of NSTAR Gas on Request for Determination of Applicability to determine as to whether the excavation of three areas to insert a 1-inch plastic gas pipeline into the existing service line, as depicted on the plan is subject to the jurisdiction of the City of Worcester Wetlands Protection Ordinance.

Mr. Keough stated the proposed construction activities will include the insertion of a new 1” plastic gas pipeline within the existing service line along Eskow Road, which will require three excavation areas at: (1) 22 Eskow Road, (2) approximately 20 Eskow Road, and (3) the bend in the service line between the two other sites. The third location is located within the 100-foot buffer zone and will excavate a 4’ x 6’ hole to insert the new 1” plastic piping which will continue to be sleeved in a northeasterly direction 115’ before running east for 50.’ The gas main line extension will not alter wetland resource areas as the pipe will be installed underground and be located within the paved roadway and/or should of Eskow Road.

Commissioner Theerman asked if materials would be stored on the site to which Mr. Keough responded no.

Upon a motion by Commissioner McDonald and seconded by Commissioner Berg Powers the Commission voted 5-0 to issue a Negative Determination of Applicability.

**List of Exhibits:**

- Exhibit A: Request for Determination of Applicability for 22 Eskow Road submitted by NStar Gas; received August 6, 2013.
- Exhibit B: Erosion and Sediment Controls for Gas Main Extension Project, Site Location Map and Photographic Log; prepared by AECOM; dated August 5, 2013; received August 6, 2013.
- Exhibit C: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: 22 Eskow Road - RDA; dated August 20, 2013.

*5:40 p.m. – Chair Wood returned to meeting room.*

**Other Business**

**2. Request for Certificate of Compliance – 11 Lake Avenue (CC-2012-031):**

Mr. Gervais stated he inspected the site and recommend Certificate of Compliance issuance.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner McDonald the Commission voted 6-0 to issue the Certificate of Compliance for 11 Lake Avenue.

**List of Exhibits:**

- Exhibit A: Request for Certificate of Compliance for 11 Lake Avenue; prepared by Frederick Moseley; dated July 31, 2013.

**3. Request for Certificate of Compliance – 51 Meola Avenue (CC-2003-018):**

Mr. Gervais stated he inspected the site and recommend Certificate of Compliance issuance.

Upon a motion by Commissioner Donahue and seconded by Commissioner Berg Powers the Commission voted 6-0 to issue the Certificate of Compliance for 51 Meola Avenue.

**List of Exhibits:**

- Exhibit A: Request for Certificate of Compliance for 51 Meola Avenue; prepared by Atty. Robert J. Hennigan Jr.; dated August 9, 2013.

**4. Request for Certificate of Compliance – 16 Whisper Drive (CC-2007-056):**

Mr. Gervais stated he inspected the site and recommend Certificate of Compliance issuance.

Upon a motion by Commissioner Donahue and seconded by Commissioner McDonald the Commission voted 6-0 to issue the Certificate of Compliance for 16 Whisper Drive.

**List of Exhibits:**

- Exhibit A: Request for Certificate of Compliance for 16 Whisper Avenue; prepared by Glenn Krevosky; dated August 13, 2013.

## **5. Request for Certificate of Compliance – 18 Whisper Drive (CC-2007-056):**

Mr. Gervais stated he inspected the site and recommend Certificate of Compliance issuance.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner McDonald the Commission voted 6-0 to issue the Certificate of Compliance for 18 Whisper Drive.

### **List of Exhibits:**

Exhibit A: Request for Certificate of Compliance for 18 Whisper Avenue; prepared by Glenn Krevosky; dated August 13, 2013.

## **6. Conservation Restriction – Land off Plantation Parkway:**

Ms. McCabe stated the item had previously been on Conservation Commission agenda and a vote by the Commission was needed to implement the Conservation Restriction.

Commissioner Donahue inquired about property ownership and the entity that would hold the Conservation Restriction. Ms. McCabe responded that property is owned by Worcester City Campus Corporation and if approved, the Conservation Restriction would be held by Worcester Conservation Commission and the Greater Worcester Land Trust, Inc.

Upon a motion by Commissioner McDonald and seconded by Commissioner Theerman the Commission voted 6-0 to approve the Conservation Restriction for land off Plantation Parkway.

### **List of Exhibits:**

Exhibit A: Conservation Restriction for Plantation Street and Plantation Parkway; undated.

## **7. Enforcement Order Update– Arboretum Village Estates (CC-EO-2013-003):**

Scott Morrison, Senior Environmental Scientist with EcoTec, Inc. appeared on behalf of the owner, Arboretum Village, LLC, to address the item. Mr. Morrison stated that in response to enforcement order issued by the Conservation Commission on July 26, 2013, the owner has taken and will take several steps to correct the problems on the site which include the following:

- Hydro-seeded exposed soils where construction activities were occurring in the vicinity of Bittersweet Boulevard.
- Met with MassDEP and discussed additional stabilization measures to be taken to construct an additional temporary sediment basin, install stone check dams and hydro-seed areas to cover areas where the original seed was not established.
- The current stormwater system within the incomplete paved and unpaved portions of Bittersweet Boulevard shall be taken offline and temporary settling basins shall be installed and to accomplish that the property owner proposes to construct an additional sediment trap above the paved section of Bittersweet Boulevard. The property owner has surrounded the catchbasins with haybales and used plastic and sand bags to allow runoff to pond within the roadway and discharge into the stormwater system once depths reach 12-18' in an effort to allow only the upper water to discharge to the stormwater system.
- A comprehensive erosion control plan is currently being prepared and will be provided to the Commission and MassDEP as soon as possible.
- EcoTec, Inc. inspected and submitted a wetlands assessment and restoration plan.

- EcoTec, Inc. collected turbidity samples during rain events and submitted a copy to the Conservation Commission. Additional reports will be provided to the Commission on a monthly basis.

Mr. Morrison stated what can be done on site are only temporary stabilization measures until the slope issue is addressed.

Chair Wood stated she would like an estimated time frame on when site will be completely stable. Mr. Morrison responded that it should be stable before winter.

**List of Exhibits:**

Exhibit A: Enforcement Order for Arboretum Subdivision (Phase IV) Bittersweet Boulevard off Sophia Drive; prepared by Jonathan Gervais, City of Worcester DPW&P; dated July 26, 2013.

Exhibit B: Letter from Scott M. Morrison, Senior Environmental Scientist with EcoTec, Inc. to Jonathan Gervais, City of Worcester DPW&P and Worcester Conservation Commission; re: Arboretum Village Estates, Worcester, Massachusetts; dated August 15, 2013; received August 22, 2013.

**8. 1 Sophia Drive (Lot A-9), Worcester & Auburn (DEP #349-1033 & 098-0693):**

Mr. Morrison appeared on behalf of the owner, Arboretum Village, LLC, to address the item. He stated the owner sought Conservation Commission approval for a minor plan modification. The project proposed construction of a single family home, driveway, grading and associated work within the 100-foot buffer zone to Bordering Vegetated Wetlands. The plan modification request was needed because of a survey error showing an incorrect southern lot line was discovered.

This placed the house partially on an abutting property; due to the encroachment, the house must be moved and a portion on the abutter's property needed to be restored to preconstruction condition which will result in the house and the driveway being moved northerly while remaining within the approved limits of work and erosion control barrier.

Commissioners Theerman and McDonald expressed concern with the property's proximity to the resource area and driveway proximity to the wetlands.

In response to the Commission's concern, Chair Wood suggested conducting a site walk and asked that Mr. Morrison contact Department of Planning & Regulatory Services to schedule a visit and continue the item to following meeting.

Exhibit A: Letter from Scott M. Morrison, Senior Environmental Scientist with EcoTec, Inc. to the Worcester Conservation Commission; re: 1 Sophia Drive (Lot A\_9), Worcester & Auburn (DEP#349-1033 & 098-0693), Applicant: Arboretum Village, LLC; dated August 21, 2013; received August 22, 2013.

**9. Request for a Letter of Support for the Conservation Partnership Grant - Cook's Connector & Cook's Brook Project (0 Tory Fort Lane; MBLs 40-040-00008 and 40-040-00009):**

Colin Novick, Executive Director of Greater Worcester Land Trust, appeared before the Commission to request a letter of support from the Conservation Commission. Mr. Novick described the subject properties – the 8.75 acre Cook's Connection and 5.11 acre Cook's Brook. He said the letter of support was requested in order to apply for a grant for funding to purchase the land.

Commissioner Donahue asked if the item will return to the Commission for review after letter issuance to which Mr. Novick replied in the affirmative.

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Theerman the Commission voted 6-0 to issue a letter of support.

Exhibit A: Email from Colin Novick re: Cook's Connector & Cook's Connector Brook, Four Town Greenway map; undated; received August 12, 2013.

**10. Enforcement Order – 11 Brookshire Road (CC-EO-2013-004):**

Mr. Gervais stated that an enforcement order was sent to the property owner but no staff had not yet received the return receipt confirming notifying property owner has not been returned to City yet and requested item be continued to the next meeting.

Exhibit A: Enforcement Order for 11 Brookshire Road; prepared by Jonathan Gervais, City of Worcester DPW&P; dated August 19, 2013.

**Communication Received:**

The Commission had no comments on the received communication.

**Other Business:**

Chair Wood requested that 74 Bay Edge Road be placed on next Conservation Commission agenda for the property owner to respond regarding a dock being built in Lake Quinsigamond.

**Signing of Decisions:**

- 22 Eskow Road (CC-2013-041) - RDA
- 11 Lake Avenue (CC-2012-031) COC
- 51 Meola Avenue (CC-2003-018) – COC
- 16 Whisper Drive (CC-2007-056) – COC
- 18 Whisper Drive (CC-2007-056) – COC
- Conservation Restriction – Land off Plantation Parkway

**Adjournment**

Upon a motion by Commissioner Berg Powers and seconded by Commissioner Theerman, the Commission voted 6-0 to adjourn the meeting at 6:25 p.m.