

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

April 22, 2019

WORCESTER CITY HALL – LEVI LINCOLN CHAMBERS

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

Staff Present: Michelle Smith, Planning & Regulatory Services Division
Stefanie Covino, Planning & Regulatory Services Division

Call to Order

The Chair called the meeting to order at 5:30 p.m.

Requests for Continuances, Postponements, and Withdrawals

Item #5 0 Meadowbrook Road (MBL 25-042-0003A)
File #: CC-2019-013; DEP # 349-XXXX
Applicant: Joe Goodman
Project: To construct a single family house, construct a cul-de-sac, and conduct associated site work
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance

Item #6 20 Pine Hill Road (MBL 38-035-00004)
File #: CC-2019-014; DEP # 349-1238
Applicant: Berthiaume Contracting, LLC.
Project: To construct a single family house and conduct associated site work
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance

Item #9 49 Tory Fort Lane (AKA Cooks Pond) (MBL40-028-00003)
File#: CC-2019-021; DEP# 349-XXXX
Applicant: City of Worcester Department of Public Works & Parks
Project: Conduct aquatic nuisance vegetation management activities included but not limited to herbicide application and drawdown.
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance

Item #19a. 137 Mower Street (MBL 40-030-0000B)
File#: CC-2010-042
Request: Certificate of Compliance

Upon a motion by Commissioner Escobar and seconded by Commissioner Amory, the Commission voted 5-0 to postpone the above public hearings until May 13, 2019.

Approval of Minutes

March 19, 2018; January 28, 2019; February 21, 2019; March 11, 2019

Upon a motion by Commissioner Escobar and seconded by Commissioner Amory, the Commission voted 5-0 to approve above minutes.

Old Business – Notices of Intent

Item #1 42-158 Wildwood Avenue and 2 Spring Lane (MBL 42-019-42-44; -63-65; -66+67; & -68+69)
File #: CC-2018-085, DEP#349-1228

Applicant: Advanced Energy Concepts c/o Sean Bushe
Project: To construct two single-family dwellings, related site improvements, and a parking area associated with the existing structure located at #142 Wildwood Avenue, and to conduct related grading, drainage, paving and site work.
Jurisdiction: The MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to close the public hearing. Upon a motion by Commissioner Escobar, seconded by Commissioner Canton, the Commission voted 5-0 to issue an Order of Conditions.

Item #2 **210 Southwest Cutoff (MBL 34-034-00011)**
File #: CC-2018-098, DEP #349-1233
Applicant: St. James Realty, LLC
Project: To construct two commercial self-storage buildings (~177,000 SF) with associated parking and to conduct related site work.
Jurisdiction: The MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Escobar, seconded by Commissioner Canton, the Commission voted 5-0 to close the public hearing. Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue an Order of Conditions.

Item #3 **222 Brooks Street (MBL 23-002-00002)**
File #: CC-2019-009
Applicant: Zero Point Development, Inc.
Project: To build three new commercial buildings, parking, and conduct associated site work.
Jurisdiction: The City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to close the public hearing. Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue an Order of Conditions.

New Business – Notices of Intent

Item #4 **190 Mountain Street East (AKA Country Club Acres) (MBL 36-048-00002)**
File #: CC-2019-010; DEP # 349-1239
Applicant: Worcester Country Club Acres, LLC
Project: To build 43 units, a new road, and to conduct associated site work
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to close the public hearing. Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue an Order of Conditions.

Item #7 **520 Mill Street (AKA Patch Reservoir) (MBL 30-29A-00002)**
File#: CC-2019-017; DEP #349-XXXX
Applicant: City of Worcester Department of Public Works & Parks
Project: Conduct aquatic nuisance vegetation management activities included but not limited to application of herbicide, algaecide, and manual removal of plants
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: Friends of Patch Reservoir and two neighbors spoke in favor of the project. Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to close the public hearing. Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue an Order of Conditions.

Item #8 **500 Salisbury Street (AKA Assumption College) (MBL 55-004-00001)**
File#: CC-2019-019
Applicant: Assumption College
Project: Construct new commercial building and associated parking and conduct associated site work.
Jurisdiction: City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Escobar, seconded by Commissioner Canton, the Commission voted

5-0 to close the public hearing. Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue an Order of Conditions.

Item #10 **29 Proctor Street (MBL13-015-00002)**
File#: CC-2019-023; DEP# 349-1240
Applicant: Marcel Blais
Project: Construct patio and conduct associated site work.
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Escobar, seconded by Commissioner Canton, the Commission voted 5-0 to close the public hearing. Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue an Order of Conditions.

Requests for Determination of Applicability

Item #11 **757 Salisbury Street (MBL 50-023-00001)**
File#: CC-2019-015
Applicant: Hills Properties
Project: Seeks to confirm resource area delineation.
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a negative Determination of Applicability.

Item #12 **10 Circuit Ave West (AKA Coes Pond) (MBL14-020-00007)**
File#: CC-2019-016
Applicant: City of Worcester Department of Public Works & Parks
Project: Perform trail widening and vegetation removal .
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a negative Determination of Applicability.

Item #13 **23 Ayrshire Road (MBL 17-31B-66-01)**
File#: CC-2019-018
Applicant: Richard Black
Project: Fill an existing pool, install infiltration units, and conduct associated site work.
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a negative Determination of Applicability.

Item #14 **302 Lake Avenue North (MBL 46-017-00003)**
File#: CC-2019-020
Applicant: Donna White
Project: Construct an addition to a single family home and conduct associated site work.
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Escobar, seconded by Commissioner Canton, the Commission voted 5-0 to issue a negative Determination of Applicability.

Item #15 **Right-of-Way Associated with 50 Webster Street (MBL 08-030-04+05)**
File#: CC-2019-022
Applicant: Mass Electric Company DBA National Grid
Project: Perform minor excavations to inspect and perform repairs as needed of steel footings.
Jurisdiction: City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a negative Determination of Applicability with the condition to use erosion controls.

Item #16 **75 McKeon Road (AKA Blackstone Gateway Park) (MBL 31-025-00001)**
File#: CC-2019-024

Applicant: City of Worcester Department of Public Works & Parks
Project: Manually install bird, duck, and bat boxes.
Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance
Action: Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a negative Determination of Applicability.

Other Business

Item #17 Project Change Requests

- a. 1059 Grafton Street (CC-2018-070) (MBL 38-035-00002)
Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to approve the project change request under the existing Order of Conditions.

Item #18 Request for Extensions of Time for Orders of Conditions

- a. 0 Bittersweet Boulevard (AKA 0 Sarah Drive AKA Arboretum Subdivision Phase IV) (CC-2009-047; DEP#349-979) (MBL 029-11A-00090)
Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a six month extension to allow for two additional house lots to be built and time to file a new NOI for remainder of project.

Item #19 Requests for Certificates of Compliance

- a. 533 Massasoit Road (CC-2005-091; DEP#349-876) (MBL 34-033-00099) CE, AA 5-0 to issue COC
Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a Certificate of Compliance.
- b. 2-4 Mount Ave (FKA 32 Brooks St) (CC-2017-065) (MBL 12-029 -004-1 and -00004)
Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a Certificate of Compliance.
- c. 6-8 Mount Ave (FKA 32 Brooks St) (CC-2017-036) (MBL 12-029-04 -3B and -3A)
Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a Certificate of Compliance.
- d. 27-29 Drexel St (CC-2010-001) (MBL40-037 -005-A and -000B2)
Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to deny the request for a Certificate of Compliance, based on lack of site stabilization and lack of information.
- e. 671 Salisbury Street (CC-2015-071) (MBL 50-023-00004) CE, AA 5-0 to issue COC
Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a Certificate of Compliance.
- f. 115 Northeast Cutoff (DEP#349-499) (MBL 52-006-01+02)
Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a Certificate of Compliance.
- g. 115 Northeast Cutoff (DEP#349-524) (MBL 52-006-01+02)
Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a Certificate of Compliance.
- h. 115 Northeast Cutoff (DEP#349-513) (MBL 52-006-01+02)
Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to issue a Resolution clearing the title.

Item #20 Enforcement Order Updates

- a. 100 Goldthwaite Road (AKA White Birch Commons (FKA Burncoat Gardens)) (CC-2013-057; DEP #349-1075; CC-EO-2017-001)
- b. Country Club Acres (AKA Garrison Avenue & 190 Mountain Street East; Cobblestone Lane (FKA Paradise Point)) (CC-2007-025; DEP #349-931; CC-EO-2017-009; UAO-CE-18-6W001)
- c. 20 Quinsigamond Avenue (CC-EO-2018-004)
- d. 72 Upland Street (CC-EO-2018-005)
- e. 128 Alvarado Ave (CC-2008-045 / CC-2017-017)

Item #21 Communication – no comments

- a. Maintenance Work Notification, from TRC Solutions, received 3/21/19
- b. State of the Blackstone Watershed Workshop on 4/29/19, from Narragansett Bay Estuary Program, received 3/26/19

Item #22 Discussion of Commission Regulations, Processes & Procedures

Item #23 Discussion of Special Conditions and Issuance of Orders of Condition

Item # 24 Signing of Decisions

Adjournment: Upon a motion by Commissioner Escobar, seconded by Commissioner Amory, the Commission voted 5-0 to adjourn at 10:15pm