

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

**January 14, 2013**

**WORCESTER CITY HALL – LEVI LINCOLN ROOM**

**Conservation Commission Members Present:**

Stefanie Wood – Acting Chair  
Jeremy Theerman  
Jack Donahue  
Paul Franco

**Staff Present:**

Abby McCabe, Division of Planning & Regulatory Services  
Nancy Tran, Division of Planning & Regulatory Services

**CALL TO ORDER:**

The Chair called the meeting to order at 5:32 pm.

**APPROVAL OF THE MINUTES:**

Upon a motion by Commissioner Theerman and seconded by Commissioner Franco, the Commission voted 4-0 to approve the minutes of December 17, 2012.

**NEW BUSINESS**

**Public Hearing**

**1. McKeon Road (CC-2012-052) – Notice of Intent:**

Chair Wood stated the applicant had requested a postponement of the public hearing.

Upon a motion by Commissioner Donahue and seconded by Commissioner Franco, the Commission voted 4-0 to postpone the item to the February 25, 2013 meeting.

**List of Exhibits:**

Exhibit A: Notice of Intent Application McKeon Road submitted by NSTAR Gas; received December 20, 2012.

Exhibit B: Figures for McKeon Road; prepared by Hatch Mott MacDonald; dated July 17, 2012.

Exhibit C: Photographs of the site prepared by Hatch Mott MacDonald; undated.

Exhibit D: Project Plan and Details for McKeon Road; prepared by Hatch Mott MacDonald; undated.

Exhibit E: Memorandum from the City of Worcester Department of Public Works & Parks to the Conservation Commission; re: NSTAR – Middle River Pipeline Replacement Project - NOI; dated January 14, 2013.

## **OTHER BUSINESS**

### **2. Request for Certificate of Compliance – 25 Ellis Drive (CC-2011-064):**

Items #4 & 5 were taken contemporaneously.

Sotirios Georgiadis, applicant, stated that all requested items except for stormwater calculations were submitted to the Commission. Mr. Georgiadis requested a continuance of his Certificate of Compliance request and Enforcement Order to get in touch with his engineer.

Chair Wood said that the Commission had been waiting a long time for the items and said the calculations should be submitted to the Division of Planning & Regulatory Services no later than a week before the meeting in order to allow proper review by staff and the Commission. Ms. Wood also recommended that the engineer attend the next meeting with the applicant.

The items were continued to the February 4, 2013 meeting.

#### **List of Exhibits:**

- Exhibit A: Request for Certificate of Compliance – 25 Ellis Drive; submitted by Sotirios Georgiadis; received December 3, 2012.
- Exhibit B: As Built Topo Plan of 25 Ellis Drive; prepared by Allen F. Paige Consulting Engineering; dated November 14, 2012 and received December 3, 2012.
- Exhibit C: Email from Atty. Bachrach to Joel Fontane, Division of Planning & Regulatory Services; dated December 10, 2012.

### **3. Enforcement Order Update – 25 Ellis Drive (CC-EO-2012-004):**

Items #2 & 3 were taken contemporaneously. See above.

### **4. Request for Certificate of Compliance – 5 Broome Avenue (DEP-349-1012):**

Ms. McCabe read an email from Jonathan Gervais, environmental scientist with the City of Worcester DPW&P stating his recommendation that the item be continued until there is more growth.

Upon a motion by Commissioner Franco and seconded by Commissioner Donahue, the Commission voted 4-0 to continue the Request for Certificate of Compliance meeting to February 25, 2013.

#### **List of Exhibits:**

- Exhibit A: Request for Certificate of Compliance – 5 Broome Ave (CC-2011-015); submitted by Richard Black Jr. and Angela Black; received December 17, 2012.
- Exhibit B: Email from Jonathan Gervais, Worcester DPW&P to Worcester Conservation Commission; dated January 14, 2013.

### **5. Communication Item – re: Notice of Project Change for Greenwood Street Landfill Project from CDM Smith; dated November 30, 2012.**

Chair Wood stated no action was required with respect to the document received.

Commissioner Donahue said he would support a site walk if appropriate.

Commissioner Theerman suggested that a site walk in the near future would not be feasible to weather, muddiness and stabilization issues.

Chair Wood requested staff to schedule a site walk when temperatures are cooler.

No action was taken on the item.

**6a. Discussion with Greater Worcester Land Trust – Removal of dam boulders in a brook near Route 122A and Worcester/Holden line to facilitate upstream trout movement and spawning during low flow season:**

Glenn Krevosky of EBT Environmental Consultants, Inc. and Colin Novick of Greater Worcester Land Trust were present to discuss what was needed in order to move boulders in a colonial brook. Mr. Krevosky said the subject brook has a manmade boulder field which is an impediment to trout spawning during low flow season. He said the proposed project will use laborers with crowbars to move rocks that will allow trout to navigate the stream during low flow. Mr. Krevosky added that the Massachusetts Division of Fisheries & Wildlife fully supports moving the boulders 1-2' but not take the boulders out of the brook system.

Chair Wood said that the project would, at a minimum, require a Request for Determination application.

Mr. Krevosky showed in previously submitted documents which boulders would be moved and said they were not degraded block.

The Commission was in agreement that a Request for Determination application was needed for the project. Chair Wood suggested that a site visit be coordinated before the Commission's February 4<sup>th</sup> meeting.

Upon a motion by Commissioner Theerman and seconded by Commissioner Franco, the Commission voted 5-0-1 (Commissioner Wood abstained) to extend the in-force permit for water drawdown at Lake Quinsigamond by four years to September 24, 2016.

**List of Exhibits:**

Exhibit A: Email from Glenn Krevosky to Nancy Tran, Division of Planning & Regulatory Services, re: GM Realty Incorporated key stones to be moved from stream per Order of Conditions #35; received January 7, 2013.

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

Ms. McCabe summarized the memorandum provided to the Commission regarding the City's recommendation that the Commission vote to accept a conservation restriction for 4.7 acres (Parcels A & B) of land adjacent to Green Hill Park located off of Plantation Parkway. She said the City was in the process of finalizing the document with its law department and wanted the Commission's vote to include the following terms:

- The CR land shall be used only for hiking and other passive recreation. Active recreation shall be prohibited on the CR land.
- The City or its assignee may cut and maintain existing hiking trails within the CR area, provided that such trails shall in no case be paved or otherwise covered by non-porous materials. No trail shall be located within 20 feet of the boundaries of the CR land.
- No structures of any type may be erected on the CR land.

- No motorized vehicles of any type except for those needed to maintain any trail system, may be used on the CR land.

Chair Wood clarified that the conservation restriction at-hand was different and separate from the Green Hill Park conservation restriction. Chair Wood and Commissioner Franco expressed their hesitance in approving the terms without seeing the document in full and requested more information.

Mr. Novick, Education Director at Greater Worcester Land Trust, said the conservation restriction was to create a buffer area between Green Hill Park and the parking area associated with adjacent developed parcels. The goal was to keep the area unbuilt and not degrade the natural vista of the area. He said the subject area is up Plantation street, by the East Side trail and cannot be viewed from the street.

Chair Wood requested that maps of the area and additional documentation be provided to the Commission at the next meeting in order for a decision to be made.

Upon a motion by Commissioner Theerman and seconded by Commissioner Franco, the item was continued to the February 4, 2013 meeting.

**List of Exhibits:**

Exhibit A: Memorandum for Abby McCabe, Division of Planning & Regulatory Services, re: Conservation Restriction – Land off Plantation Parkway; dated January 14, 2013.

**6c. Enforcement Order Update –20 Jasmine Drive (MBL 33-23C-00069)(CC-EO-2012-005):**

Coreen Gaffney of the Citizen Advisory Council said that a survey sent to the Commission to complete. The survey had been distributed in order for the council to gauge what should be sought when looking at candidates for commission and board positions. Ms. Gaffney said the next Citizen Advisory Council meeting will be in February and would like completed surveys before then. The Commission said it would fax them to staff to forward to the council when completed.

**6d. Election of Officers:**

The Commission did not elect new officers and decided to wait until the next meeting to do so.

**ADJOURNMENT**

Upon a motion by Commissioner Franco and seconded by Commissioner Theerman, the Commission voted 6-0 to adjourn the meeting at 6:18 PM.