

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

July 15, 2019

WORCESTER CITY HALL – LEVI LINCOLN CHAMBERS

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

Conservation Commission Members Absent: Azal Khaled

Staff Present: Stefanie Covino, Division of Planning & Regulatory Services

Call to Order

The Chair called the meeting to order at 5:38 p.m.

Requests for Continuances, Postponements, Withdrawals

- Item #1** **Notice of Intent:** 0 Meadowbrook Road (MBL 25-042-0003A) CC-2019-013; DEP # 349-1242
Item #2 **Notice of Intent:** 20 Pine Hill Road (MBL 38-035-00004) CC-2019-014; DEP # 349-1238
Item #5 **Notice of Intent:** 254R Massasoit Road, 504 Massasoit Road, 0 Sandra Drive AKA Broad Meadow Brook Conservation Center and Wildlife Sanctuary (MBL 44-018-00001, 45-033-00001, 45-032-0000A) CC-2019-034; DEP # 349-XXXX
Item #7a **Project Change Request:** 128 Alvarado Ave (CC-2008-045 / CC-2017-017; DEP# 349-963)
Item #8a **Extension of Time:** 128 Alvarado Ave (CC-2008-045 / CC-2017-017; DEP# 349-963)
Item #9a **Certificate of Compliance:** 38 Toronita Avenue lots 1-3 (AKA 38, 40, 42 Toronita Avenue) (CC-2014-015;DEP# 349-1082)

Upon a motion by Commissioner Escobar and seconded by Commissioner Amory, the Commission voted 4-0 to continue Item 1 until 8/26/19, continue Items 2, 7a, 8a, and 9a until 8/5/19, and to postpone item 5 until 8/5/19.

Approval of Minutes: None

Public Hearings

249, 261, & 265 Lake Avenue (MBL 17-029-00010, 17-030-0002A, -00002)

File#: CC-2019-026; DEP# 349-1245

Applicant: Cherele Gentile

Project: To demolish five existing buildings and construct four single family dwellings with associated grading, utilities, and site work.

Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance

Upon a motion by Commissioner Escobar and seconded by Commissioner Amory, the Commission voted 4-0 to close the public hearing. Upon a motion by Commissioner Escobar and seconded by Commissioner Amory, the Commission voted 4-0 to issue an order of conditions.

0 Lake Avenue (MBL 17-029-002-A)

File #: CC-2019-033; DEP # 349-1249

- Applicant: One Waterfront, LLC
- Project: To construct a single family home, driveway, grading, vista pruning, and associated site work and a waiver of performance standard 4.2.4.
- Jurisdiction: MA Wetlands Protection Act and the City of Worcester Wetlands Protection Ordinance

Upon a motion by Commissioner Amory and seconded by Commissioner Escobar, with Commissioner Canton voting against, the Commission voted 3-1 that the applicant had provided sufficient evidence of abutter notification to open the public hearing. Upon a motion by Commissioner Escobar and seconded by Commissioner Amory, the Commission voted 4-0 to close the public hearing. Upon a motion by Commissioner Escobar and seconded by Commissioner Amory, the Commission voted 4-0 to issue an order of conditions with a waiver of performance standard 4.2.4 allowing tree pruning within the 15' buffer to the resource area.

Other Business

Informal Presentation

- a. Aidan Wells – Eagle Scout Project at Broad Meadow Brook

The Commission advised Mr. Wells to provide a Request for Determination of Applicability in order to perform the work described – construction of a wooden walkway over a stream at Broad Meadow Brook.

Project Change Request

- a. Country Club Acres (CC-2019-010; DEP# 349-1239) – request to modify permanent marker locations

Upon a motion by Commissioner Escobar and seconded by Commissioner Amory, the Commission voted 4-0 to amend the bond performance agreement to reflect the current order of conditions CC-2019-010 and authorize the Chair to sign. No vote was taken on whether to approve or deny the project change request to modify the locations of permanent markers.

Requests for Extension of Time for Orders of Conditions

- a. Indian Lake (CC-2000-055; DEP# 349-678)

Upon a motion by Commissioner Escobar and seconded by Commissioner Canton, the Commission voted 4-0 to issue a one year extension.

Requests for Certificates of Compliance

- a. 2 Rodi Circle (CC-2003-071)

Upon a motion by Commissioner Escobar and seconded by Commissioner Amory, the Commission voted 4-0 to issue a partial Certificate of Compliance for 2 Rodi Circle.

Enforcement Order and Violation Updates

- a. 100 Goldthwaite Road (AKA White Birch Commons (FKA Burncoat Gardens)) (CC-2013-057; DEP #349-1075; CC-EO-2017-001)
Upon a motion by Commissioner Escobar and seconded by Commissioner Canton, the Commission voted 4-0 to approve the updated enforcement order.
- 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)

No representative attended the meeting and documents were not received; the Commission will therefore issue fines starting 7/16/19 per the vote on 6/3/19.

d. 72 Upland Street (CC-EO-2018-005)

e. 128 Alvarado Ave (CC-2008-045 / CC-2017-017)

Project remains non-compliant with enforcement order and requirement to update erosion controls and flagging.

f. 170 South Flagg Street (CC-EO-2018-003)

g. 37 Pleasant Valley Drive (AKA Lincoln Village)

The Commission read a letter from the applicant/owner, performed a site visit with staff. Vegetation has grown back and downed branches were removed from the stream bed. No further action is required and staff will remove this from future agendas.

h. Burncoat Heights (CC-2017-043; CC-EO-2019-001)

Upon a motion by Commissioner Escobar and seconded by Commissioner Canton, the Commission voted 4-0 to approve the updated enforcement order.

Communication – no comments

a. *Final Environmental Impact Report: Worcester Downtown Urban Revitalization Plan Amendment #1 Triple A Ballpark/Mixed-Use Development*. From Worcester Redevelopment Authority, received July 2, 2019

Staff notes that Conservation Commission has no jurisdiction over this project.

b. *Environmental Notification Form*. From Auburn Water District, received July 9, 2019

c. *MACC Wetlands Buffer Zone Guidebook*. From MACC, received July 9, 2019

Staff noted that there was some very useful information in this, but no electronic version is yet available. Staff offered to review findings during a shorter meeting in the future.

Discussion of Commission Regulations, Processes & Procedures

Discussion of Special Conditions and Issuance of Orders of Conditions

Signing of Decisions

Adjournment

Upon a motion by Commissioner Escobar and seconded by Commissioner Canton, the Commission voted 4-0 to adjourn at 8:12pm.