



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

*Conservation Commission*

**Monday November 7, 2022**

Worcester City Hall – Esther Howland Chamber,  
with remote participation options available via Webex online at  
<https://cow.webex.com/meet/conservationcommissionwebex> and  
call-in number 415-655-0001 (Access Code: 1609734358).

**Commissioners Present:** Joseph Charpentier, Chair  
Amanda Amory  
Devin Canton, Vice Chair - *participated remotely*  
Lindsay Nystrom

**Commissioners Absent:** Miranda Hotham

**Staff Present:** Eric Flint, Division of Planning & Regulatory Services (DPRS)  
Stephen Cary, DPRS - *participated remotely*

**Call to Order**

Chair Charpentier called the meeting to order at approximately 5:33pm.

**Requests for Continuances, Extensions, Postponements, and Withdrawals**

**3) 128, 130, 132, 134, & 136 Alvarado Avenue – Notice of Intent (CC-2022-036 & DEP#349-1330)**

*Request to Postpone to 11/28/22*

*Request to Extend the Constructive Grant Deadline to 12/13/22*

**4) 47R Fourth Street – Notice of Intent (CC-2022-046/CC-2017-052 & DEP#349-1223)**

*Request to Postpone to 11/28/22*

*Request to Extend the Constructive Grant Deadline to 12/13/22*

**5) 25 & 35R Tobias Boland Way, 0 McKeon Road, and 0 Millbury Street – Notice of Intent (CC-2022-069 & DEP#349-13XX)**

*Request to Postpone to 11/28/22*

*Request to Extend the Constructive Grant Deadline to 12/13/22*

**6) 2 Aurora Street (Lot 2) – Notice of Intent (CC-2022-070 & DEP#349-13XX)**

*Request to Postpone to 11/28/22*

*Request to Extend the Constructive Grant Deadline to 12/13/22*

**8) 0 Granite Street – Abbreviated Notice of Resource Area Delineation (CC-2022-075 & DEP#349-13XX)**

*Request to Postpone to 11/28/22*

*Request to Extend the Constructive Grant Deadline to 12/13/22*

**9) 121 Russell Street (aka Elm Park) – Notice of Intent (CC-2022-077 & DEP#349-13XX)**

*Request to Postpone to 11/28/22*

*Request to Extend the Constructive Grant Deadline to 12/13/22*

**11) 378 Plantation Street – Notice of Intent (CC-2022-079 & DEP#349-13XX)**

*Request to Postpone to 11/28/22*

*Request to Extend the Constructive Grant Deadline to 12/13/22*

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission voted 4-0 to postpone the items and extend construction grant deadlines as requested.*

**New Business – Requests for Determination of Applicability**

**1. 3 Westwood Drive, 460 Salisbury Street, and Salisbury Street ROW (CC-2022-076)**

Emmet Lollis-Taylor of Tighe & Bond, on behalf of Massachusetts Electric Company, the applicant, described the project and applicable regulatory resource areas. Chair Charpentier asked for additional details about the trenching, time to completion, and trench spoils. Mr. Lollis-Taylor explained that there will be approximately 140 linear feet of trenching in the roadway, 360 linear feet off the roadway for trenching. Work will be completed within a week, with spoils to be managed by National Grid's best management practices.

There were no comments from the public.

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to issue a Negative Determination of Applicability.*

**Old Business – Notices of Intent**

**2. 3 Oriol Drive (CC-2022-065)**

Attorney Mark Borenstein of Bowditch & Dewey, on behalf of the applicant, described the permitting history and changes since the last appearance before the Commission. Chair Charpentier asked about the bioretention swale and outflow. Carlton Quinn, participating remotely, stated that they removed the bioretention area from the original plan, re-ran drainage calculations, and submitted a revised Stormwater Report and plan set to Staff.

Mr. Borenstein stated that the eastern portion of the parcel may be sold and developed in the future. Chair Charpentier asked about drainage calculations in the context of a potential development of that portion of the lot. Mr. Quinn explained that development will work independently of site whether developed or not in the future.

Commissioner Amory asked for clarification of the undeveloped portion of the site. Chair Charpentier explained the site plan and his concerns to Commissioner Amory.

Chair Charpentier asked about the siting of the underground infiltration basin and the fill relative to the stability of the retaining wall. Mr. Borenstein explained that there is an extensive condition of approval in the site plan addressing those concerns, and gave a summary of the installation of the infiltration system and ongoing management.

There were no comments from the public.

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to close.*

Mr. Flint discussed the conditions of approval recommended by staff.

Chair Charpentier asked for a condition regarding temporary sediment basins and monitoring for scour. Mr. Borenstein, Chair Charpentier, and Mr. Quinn clarified on the length and specifics of the condition during construction. Mr. Borenstein stated as part of the site plan review decisions there is a requirement that applicant will show outfall to confirm building will be on the scour.

No further comments by staff and Commissioners.

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to issue Order of Conditions.*

### **New Business – Notices of Intent**

#### **7. 231 (Lot 9) Lake Avenue (CC-2022-074 & DEP#349-1338)**

Scott Morrison of EcoTec, on behalf of applicant, provided an overview of the project and proposed stormwater infrastructure and stated that they are amenable to providing plantings at outfall. Chair Charpentier clarified the purpose of plantings and preferred type of plants. Mr. Morrison proposed his preferred plants and placement that satisfied Chair Charpentier.

Commissioner Canton asked for clarification on perimeter drain location. Mr. Morrison stated the drain required would be located up against the foundation.

Commissioner Amory asked for clarification on the location of downspouts. Chair Charpentier explained downspouts are not shown but connections are. Mr. Morrison confirmed.

Chair Charpentier asked if the retaining wall had drainage. Mr. Morrison stated daylight drains only, a full drain was not required.

There were no comments from the public.

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to close.*

Mr. Flint reviewed the staff recommended conditions of approval.

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to issue the Order of Conditions.*

**10. 3, 6, 16, 37, 52, 60 Great Brook Valley Avenue (aka Curtis Apartments) (CC-2022-078)**

Michael Lozano of Trinity Financial, on behalf of the applicant gave an overview of the project and highlighted increases in greenspace.

Jesse Johnson, civil engineer with Weston and Sampson, described both the existing and proposed stormwater infrastructure and change in impervious surfaces. Chair Charpentier asked about parking removal and changes to traffic. Mr. Johnson stated current parking has many inefficiencies and that he worked with DPW to utilize the road efficiently and meet standards.

Chair Charpentier asked the applicant to comment on phasing of the project. Mr. Morrison referred to slides with construction laydown, sequencing, and noted that the construction will be contained within the fenced-in area.

Commissioner Amory asked where residents would go during the ongoing work. Mr. Morrison stated there is an extensive relocation plan for all residents and that Phase 1 is expected to be completed in 24 months.

Commissioner Amory asked Chair Charpentier to clarify the responses to DPW comments. Mr. Morrison discussed how DPW comments have been addressed. Commissioner Amory asked about drainage from buildings. Mr. Morrison confirmed that they would tie into City infrastructure, there would be no infiltration due to fill. Possibility of another area on site will be used for infiltration.

There was no comment from the public.

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to close.*

Mr. Flint described the staff recommended orders of condition.

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to issue the Order of Conditions as recommended by staff.*

**Other Business**

**12. Requests for Certificates of Compliance**

**a. 265 Lake Avenue (CC-2019-026 & DEP#349-1245)**

Tabled until next meeting.

**b. 265 Lake Avenue (CC-2020-048 & DEP#349-1280)**

Tabled until next meeting.

**c. Lots 6 & 7 Whisper Drive (CC-2019-039)**

Mr. Flint described site conditions and noted that written certification from an engineer was received for substantial conformance with Order of Conditions. The letter noted minor deviations including a patio and stabilization of downward side of slope with riprap, and that grass was partially established.

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to issue the Certificate of Compliance.*

**d. Lots E3 & F5 Moreland Green Drive (CC-2021-054)**

Mr. Flint described site conditions and noted that during site visit, one downspout was observed to not tie into the infiltration unit, but that the applicant remedied the issue, certification was received from an engineer that infiltration units were installed as per the approved on the plans.

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to issue the Certificate of Compliance.*

**e. 3 Eastview Street (CC-2001-076+077)**

Mr. Flint stated that the applicant requested leave to withdraw to allow for additional time to obtain certification from an engineer.

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to grant the request for Leave to Withdraw.*

**13. Requests for Extension of Time**

**a. Kiara Drive Subdivision (CC-2016-048 & DEP#349-1142)**

Mr. Flint reviewed the timeline of the permitting process and extension request.

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to issue a one-year extension.*

**14. Communications**

**a. Wetland Replication Monitoring Report: Institute Park, from Weston & Sampson**

Michael Easler, Weston & Sampson, summarized the report prepared by Mel Higgins, PWS, which found an overall functioning healthy wetland space. Not many plants were growing in one area containing open water, but other areas were well vegetated with multiple varieties of plants growing.

**b. Wetland Replication Monitoring Report: Columbus/Coes Park, from Weston & Sampson**

Mr. Flint reviewed the contents of the monitoring report, which was prepared for the first growing season. Mr. Easler noted that a ponded area adjacent to the boardwalk had less than 75% vegetative cover, which was required by the Order of Conditions, and requested feedback from the Commission regarding the requirement for this area.

Commissioner Amory asked what percentage of the entire replication area the ponded area comprised. Mr. Easler noted it was around 25% and that it had approximately 55% vegetative coverage. Mr. Easler noted that most areas had 80-90% vegetative coverage. Chair Charpentier indicated that as long as the 75% coverage requirement was met across the entire area, the ponded area with less than that would not prevent the condition from being satisfied.

**15. Discussion of Active Project**

a. 115 Northeast Cutoff (CC-2020-012 & CC-2022-004 & DEP#349-1314)

Mr. Flint described the request for relief from the requirement to space permanent markers every 15' on center, the applicant noted that this would result in around 250 markers, and requested that this be modified to every 25'.

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to allow the placement of permanent markers every 25' instead of every 15'.*

**16. Enforcement Order and Violation Updates**

- a. 128 Alvarado Avenue (CC-EO-2016-004)
- b. White Birch Commons FKA Burncoat Gardens FKA Goldthwaite Road (CC-EO-2017-001)
- c. 217 Lake Avenue (CC-EO-2020-004)
- d. 449 Massasoit Road (CC-EO-2020-006)
- e. Across from 133 North Lake Avenue – East side of Lake Avenue North Right-of-Way (between Dominion Road & Belcourt Road) and Lake Quinsigamond (CC-EO-2020-007)
- f. Across from 175 North Lake Avenue – East side of Lake Avenue North Right-of-Way (between Belcourt Road & Sonoma Drive) and Lake Quinsigamond (CC-EO-2020-008)
- g. 99 Wildwood Avenue (CC-EO-2020-009)
- h. 166 Moreland Street (CC-EO-2020-011)
- i. 522 Grove Street (CC-EO-2020-014)
- j. 0 Myrick Avenue (CC-EO-2020-015)
- k. 75 Harrington (CC-EO-2021-003)
- l. 40 June Street Terrace (CC-EO-2021-004)
- m. 12 AKA 0 Balis Avenue (CC-EO-2021-005)
- n. 269 James Street (CC-EO-2021-007)
- o. 90 AKA 100 Camelot Street AKA Farber Field (CC-EO-2021-008)
- p. 0 McKeon Road, 0 Millbury Street & 25 & 35R Tobias Boland Way (CC-EO-2021-009)
- q. Providence & Worcester Railroad (0 Tobias Boland Way)
- r. 70 North Parkway AKA Burncoat Park (CC-EO-2022-002)
- s. Hospital Drive FKA 305 Belmont Street, 57-004-B103B (CC-EO-2022-003)
- t. 3 Aster Place (CC-EO-2022-005)
- u. Hospital Drive ROW (CC-EO-2022-006)

*There was no discussion of items a-u.*

**17. Open Space Discussion**

*There was no discussion of item 17.*

**18. Approval of Minutes**

*There were no minutes for approval.*

**19. Policies and Procedures**

Chair Charpentier noted that evening site walks will not be possible due of lack of sunlight. Past site walks have been completed during the weekends. The discussion between Staff and the Commission concluded that lunchtime site walks during the week would work best for all parties.

Commissioner Amory raised concerns about the compliance of segmented subdivision projects with the stormwater standards, and floated the idea of a stormwater overlay zoning district.

Mr. Flint noted that he would discuss with others in the Planning Division and report back to the Commission with an update at the next meeting.

Mr. Flint congratulated Commissioner Nystrom on her completion of the Fundamentals for Conservation Certificate Program offered through the Massachusetts Association of Conservation Commissioners.

**Adjournment – 7:10pm**

*Upon a motion by Commissioner Amory, seconded by Commissioner Nystrom, the Commission Voted 4-0 to adjourn.*