



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

Monday December 12, 2022

Worcester City Hall – Levi Lincoln Chamber, 3rd Floor
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
Devin Canton, Vice Chair
Lindsay Nystrom
Miranda Hotham - *participated remotely*

Commissioners Absent: Amanda Amory

Staff Present: Eric Flint, Division of Planning & Regulatory Services (DPRS)

Call to Order

Chair Charpentier called the meeting to order at approximately 5:30pm.

Requests for Continuances, Extensions, Postponements, and Withdrawals

1) 1 & 7 Brattle Street – Notice of Intent (CC-2022-063)

Request to Postpone to 1/9/23

Request to Extend the Constructive Grant Deadline to 1/31/23

2) 128, 130, 132, 134, & 136 Alvarado Avenue – Notice of Intent (CC-2022-036 & DEP#349-1330)

Request to Postpone to 1/9/23

Request to Extend the Constructive Grant Deadline to 1/31/23

**3) 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 1/9/23

Request to Extend the Constructive Grant Deadline to 1/31/23

4) 29 Endicott Street – Notice of Intent (CC-2022-080 & DEP#349-1346)

Request to Postpone to 1/9/23

Request to Extend the Constructive Grant Deadline to 1/31/23

Upon a motion by Commissioner Canton, seconded by Commissioner Nystrom, the Commission Voted 5-0 to postpone agenda items 1-4 until January 9, 2023, without testimony, and to extend the constructive grant deadlines to January 31, 2023.

New Business – Requests for Determination of Applicability

5. 12R New Bond Street (CC-2022-083 & DEP#349-1344)

Taylor Dowdy from BSC Group, on behalf of the applicant, described Saint-Gobain's proposal to expand existing facilities at 12 New Bond Street. Wetland delineation took place earlier this year showing 100-foot buffer. The applicant intends to mill and overlay existing pavement with no grade changes. Existing catch basins on site will be used and landscaping is increasing by a couple thousand square feet. Infiltration is not being proposed due to previous fuel oil spill on site and new catch basins are not being added so existing condition is not exacerbated.

Commissioner Canton asked about structure north of the resource area. Mr. Flint showed a colored graphic clarifying buffers and Mr. Dowdy noted they would not be doing any work in buffer zones.

Commissioner Canton asked about low point on site near loading docks. Chair Charpentier noted that he would not want a trench drain leading to wetlands there. Mr. Dowdy said they would adjust the plan accordingly.

Commissioner Nystrom asked about parking spaces near buffers and Mr. Dowdy noted existing jersey barriers would remain in place. Chair Charpentier asked whether 8 parking spots could be located away from 30-foot buffer. Neil Inarelli, facility manger from Saint-Gobain said they could. Chair Charpentier suggested landscaped island could be relocated elsewhere.

There were no comments from the public.

Mr. Flint clarified that DEP and Staff comments have been addressed.

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

Chair Charpentier asked Mr. Flint to review staff-recommended conditions of approval.

Mr. Flint noted standard conditions, plus conditions for wetland flagging (#24), revised pan showing loading dock drainage with note that it should not be directed to the wetland and showing relocated parking spaces to reduce impervious surface (#25), invasive vegetation (#49), cement truck washing (#52), equipment/material placement (#53), and monitoring reports (#55).

Chair Charpentier asked for alternative to jersey barriers and signage for no dumping of snow.

Mr. Flint noted addition staff-recommended conditions for fertilizers (#58), pesticides (#64), with deeded conditions 40, 64, 65, and 66, and this would also be a discretionary allowance for performing standard 4.2.4.

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

6. 3 Oriol Drive (CC-2022-085)

Robert Clark from Allen & Major Associates representing Bluestone Residential introduced Jacqueline Trainer and Steve Lee from his office and Mitch from Goddard Consultant.

Mr. Clark described the project. All drainage will be captured by underground infiltration system. There will be a water truck onsite during construction to keep dust down per DPW comment.

Chair Charpentier asked about how 100-year drainage from adjacent site would be handled. Mr. Lee noted they assumed that the adjacent site was already developed when performing their analysis. Mr. Clark noted discharge from retaining wall would be into an undeveloped wooded area.

Chair Charpentier asked for clarification on direction of collected runoff flows and expressed concern about potential effects on neighboring residences and whether a point discharge was being created. Mr. Lee and Mr. Clark responded.

Commissioner Canton asked for clarification on snow storage and removal. Mr. Clark and Mr. Lee responded.

Chair Charpentier asked about driveway easement and location of drainage utilities. Mr. Lee responded.

Chair Charpentier asked if frontage on Benson would allow for additional development between the two proposed projects. Mr. Lee responded no.

Mr. Flint noted that staff comments have been addressed and they asked including temporary sedimentation basins, and he noted applicant would include on a revised plan. Chair Charpentier noted this could be addressed at the pre-construction conference.

There were no comments from the public.

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

Chair Charpentier asked Mr. Flint to review staff-recommended conditions of approval.

Mr. Flint noted standard conditions, plus conditions for a revised plan showing temporary sedimentation basins sized for a 2-year rain event (#25), demarcation of limit of work at tree line and property line abutting uphill property (#35 & 36), invasive vegetation (#49), cement truck washing (#52), sand and salt (#65), snow storage (#66), with deeded conditions 40, 65, and 66. Mr. Flint noted an additional condition that infiltration unit be inspected by a P.E. before backfilling.

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

Other Business

7. Requests for Certificate of Compliance

- a. 719 Southbridge Street (CC-2021-003)

Mr. Flint reviewed the project and request for Certificate of Compliance.

Upon a motion by Commissioner Canton , the Commission Voted 4-0 to issue the Certificate of Compliance.

- b. 305 Belmont Street (WuXi Biologics – Headwall) (CC-2021-032 & DEP#349-1301)

Mr. Flint reviewed the project and request for Certificate of Compliance.

Chair Charpentier asked for clarification on drainage outfall and swale based on photos presented. Attorney Marc Borenstein, Bowditch & Dewey, representing WuXi and Mike Travado, Tighe & Bond, responded.

Upon a motion by Commissioner Canton , the Commission Voted 4-0 to issue the Certificate of Compliance.

8. Enforcement Order and Violation Updates

- a. 128 Alvarado Avenue (CC-EO-2016-004)
- b. 217 Lake Avenue (CC-EO-2020-004)
- c. 449 Massasoit Road (CC-EO-2020-006)
- d. 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)
- e. 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)
- f. 99 Wildwood Avenue (CC-EO-2020-009)
- g. 166 Moreland Street (CC-EO-2020-011)
- h. 522 Grove Street (CC-EO-2020-014)
- i. 0 Myrick Avenue (CC-EO-2020-015)
- j. 75 Harrington (CC-EO-2021-003)
- k. 40 June Street Terrace (CC-EO-2021-004)
- l. 12 AKA 0 Balis Avenue (CC-EO-2021-005)
- m. 269 James Street (CC-EO-2021-007)
- n. 90 AKA 100 Camelot Street AKA Farber Field (CC-EO-2021-008)

Mr. Flint showed photos of remediation measures and is awaiting verification whether compost sock is biodegradable. Chair Charpentier suggested that a condition be added to enforcement order that socks will be removed when area is stabilized. Mr. Flint noted there will be additional inspections of vegetation in spring.

- o. 0 McKeon Road, 0 Millbury Street & 25 & 35R Tobias Boland Way (CC-EO-2021-009)
- p. Providence & Worcester Railroad (0 Tobias Boland Way)
- q. 70 North Parkway AKA Burncoat Park (CC-EO-2022-002)
- r. Hospital Drive FKA 305 Belmont Street, 57-004-B103B (CC-EO-2022-003)
- s. 3 Aster Place (CC-EO-2022-005)
- t. Hospital Drive ROW (CC-EO-2022-006)
- u. 215 Lake Avenue (CC-2022-007)

Mr. Flint noted receipt of as-built showing existing conditions and encroaching retaining wall, as well as a response letter from EcoTec proposing solutions. Scott Morrison from EcoTec was present and responded. He would ask for approval to remove portion of retaining wall in no-structure zone; addition of topsoil in disturbed river front area with 3 saplings, 15 shrubs, and a New England wetland seed mix; depression caused by dock and raked during drawdown.

Chair Charpentier said he would like to see previous grades restored in 25-foot buffer that was disturbed and at least 5 markers placed at 25-foot riverfront boundary and 3 in back yard. He would like to see a revised plan at next meeting, but Mr. Morrison noted that different engineering firms are involved. Mr. Charpentier asked that plantings be arranged in line with markers to reinforce boundary. Designated plantings would occur by May 15, 2023 per Mr. Morrison and the Commission discussed a 2-year monitoring timeframe.

Mr. Flint asked about the placement of the dock and lifts. Mr. Morrison described timing of the Chapter 91 permit process. Chair Charpentier said the plan presented was acceptable and Mr. Flint recommended this be done as a project change request.

Upon a motion by Commissioner Canton, seconded by Commissioner Nystrom, the Commission Voted 4-0 to amend the enforcement order per the discussion.

v. 88 Randolph Road (CC-2022-008)

Mr. Flint recounted the enforcement order. Richey Kubert, contractor for the owner, was present and reported that the catch basin was cleaned out. Mr. Charpentier noted requirement was for it to be vacuumed and asked what method was used. Mr. Kubert did not know. Chair Charpentier suggested that DPW inspect for adequacy and their truck may be needed. Chair Charpentier also asked that a plan be provided before the January 9 meeting.

There was no discussion on items a - m and o - t.

9. Approval of Minutes

There were no minutes ready for approval and Mr. Flint noted new staff would be able to help with minutes backlog.

10. Open Space Discussion

There was no discussion about Open Space.

11. Policies and Procedures

There was no discussion about Policies and Procedures.

Adjournment – 6:34pm

Upon a motion by Commissioner Canton, the Commission Voted 4-0 to adjourn.