



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

Monday January 9, 2023

Worcester City Hall - Levi Lincoln 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
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 5:32 p.m.

Requests for Continuances, Extensions, Postponements, and Withdrawals

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

Request to Postpone to 1/30/2023

Request to Extend the Constructive Grant Deadline to 2/28/2023

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 1/30/2023

Request to Extend the Constructive Grant Deadline to 2/28/2023

5) 47R Fourth Street – Notice of Intent (CC-2022-086 & DEP#349-13XX)

Request to Postpone to 1/30/2023

Request to Extend the Constructive Grant Deadline to 2/28/2023

6) 81 Hope Avenue – Notice of Intent (CC-2022-087 & DEP#349-1347)

Request to Postpone to 1/30/2023

Request to Extend the Constructive Grant Deadline to 2/28/2023

Mr. Flint read the requests for continuances, postponements, and withdrawals into the record.

Upon a motion by Commissioner Canton, Seconded by Commissioner Nystrom the Commission voted 4-0 to postpone the items noted to the dates noted.

Old Business

1) 1 & 7 Brattle Street (CC-2022-063)

Carl Hultgren, Quinn Engineering, on behalf of Konstantinos & Fotini Angelis, the applicants, reviewed that the hearing had been continued from a prior meeting in September, noted that the project had received approval from the Zoning Board of Appeals, and summarized the proposed work to demolish the existing building on site, and to construct a new building, parking, stormwater management, and related site work.

Mr. Flint confirmed that staff and DPW comments had been addressed in a response letter and a revised plan set.

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 public hearing.

Upon a motion by Commissioner Canton, Seconded by Commissioner Nystrom the Commission voted 4-0 to issue an Order of Conditions with conditions as recommended by staff.

New Business

4) 29 Endicott Street (CC-2022-080 & DEP#349-1346)

Keith Murray, Graves Engineering, on behalf of the North Atlantic States Regional Council of Carpenters, the applicant, reviewed the proposed work to re-surface and re-grade an existing parking lot located within the floodplain, noting that the proposed work would result in an increase of flood storage on the property.

In response to questions from Chair Charpentier and Commissioner Canton, Mr. Murray provided additional information about the existing and proposed grades on the site.

Mr. Flint summarized the changes from a prior plan iteration to the most recently revised set and noted that a revised compensatory storage table was provided reflecting the additions of concrete pads and retaining walls.

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 public hearing.

Upon a motion by Commissioner Canton, Seconded by Commissioner Nystrom the Commission voted 4-0 to issue an Order of Conditions with conditions as recommended by staff.

Other Business

7) Project Change Request – 215 Lake Avenue (CC-2021-067 & DEP#349-1312)

Scott Morrison, EcoTec, Inc., on behalf of Bruno Valente, the applicant, reviewed the permitting and enforcement history related to the dock at 215 Lake Avenue. Mr. Morrison noted that the plan in front of

the Commission was consistent with that which was provided to the Chapter 91 Program and noted that MassDEP had required that the applicant obtain approval from the Conservation Commission for said plan.

Chair Charpentier noted that the jet ski lifts, which had previously been observed in the field, were not on the current plan. Mr. Morrison confirmed that these were not proposed at this time.

Upon a motion by Commissioner Canton, Seconded by Commissioner Nystrom the Commission voted 4-0 to approve the project change request.

8) Requests for Certificates of Compliance

a. 10 Allison Circle (CC-1998-103)

Mr. Flint reviewed the project history, noting that the applicant was requesting a partial Certificate of Compliance for an Order of Conditions issued for a larger subdivision in 1998. Mr. Flint confirmed that the site appeared to be stable based on a site visit made by staff the week prior.

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

b. 136 Ararat Street (CC-2022-012)

Mr. Flint reviewed observations from a site inspection conducted by staff, and that the applicant had requested leave to withdraw the request for a Certificate of Compliance until the ground was stabilized with perennial vegetation in the Spring.

Upon a motion by Commissioner Canton, seconded by Commissioner Nystrom, the Commission Voted 4-0 to grant leave to withdraw without prejudice.

9) Ratification of Emergency Certification – 1 Soheili Circle (CC-EC-2023-001)

Mr. Flint reviewed a recent Emergency Certification issued by staff to remove portions of trees downed in a recent storm as well as two standing hazard trees. All work is to occur in the buffer zone only, and the lower portions of the downed trees within the 15' buffer zone are to be left in place.

Upon a motion by Commissioner Canton, seconded by Commissioner Nystrom, the Commission Voted 4-0 to ratify the Emergency Certification.

10) Request to Change Form of Surety – Barber Avenue (CC-2017-075)

Mr. Flint reviewed the request to use a cash deposit in lieu of a performance bond to secure the construction of the wetland replication area for at the subject property.

Upon a motion by Commissioner Canton, seconded by Commissioner Nystrom, the Commission Voted 4-0 to approve the new form of surety.

11) Request to Apply Previously Paid Fees to Current Application – 47R Fourth Street (CC-2022-086)

Mr. Flint reviewed the request to apply fees previously paid for a request for Amended Order of Conditions and extension of time, which were both denied, to the local filing fee for a Notice of Intent at the same site.

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

12) Release of Letter of Credit – Burncoat Gardens (CC-2013-057)

Mr. Flint reviewed the request to release the performance security provided to secure site stabilization for an earlier phase of the Burncoat Gardens (aka White Birch Village) development. Mr. Flint noted that the Commission recently issued a Certificate of Compliance for the completed work.

Upon a motion by Commissioner Canton, seconded by Commissioner Nystrom, the Commission Voted 4-0 to release the performance security.

Commissioner Hotham exited the meeting.

19) 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)

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)

Mr. Flint noted that turbid runoff was observed from the sidewalk area adjacent to Hospital Drive, and that the applicant installed erosion control blankets as soon as they were notified of the issue.

u. 215 Lake Avenue (CC-EO-2022-007)

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

Mr. Flint provided an update on the status of the pending required actions.

There was no discussion of items a-s or u.

14. Approval of Minutes

Upon a motion by Commissioner Canton, seconded by Commissioner Nystrom, the Commission Voted 3-0 to approve the minutes for the 5/16/2022 meeting.

15. Review & Approval of the 2024 Meeting Dates and Filing Deadlines

Upon a motion by Commissioner Canton, seconded by Commissioner Nystrom, the Commission Voted 3-0 to approve the 2024 meeting schedule.

16. Open Space Discussion

The Commission and Staff discussed the action items in the 2021 Open Space and Recreation Plan and the 2023 Earth Day cleanup scheduled for April 29th.

17. Policies and Procedures

No discussion

Adjournment

Upon a motion by Commissioner Canton, seconded by Commissioner Nystrom, the Commission unanimously voted to adjourn at approximately 6:37PM.