

MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, TOWN HALL

7:30 P.M.

Minutes

January 17, 2013

The Medway Conservation Commission held its regularly scheduled meeting on January 17, 2012 at Medway Town Hall, First Floor Conference Room. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi and Conservation Commission Agent, Karon Skinner Catrone.

Approval of minutes – **Motion made by Mr. Travalini to approve the minutes of November 1, 2012. Seconded by Mr. McKay. Unanimous.**

Mr. Travalini states he walked community farm. He requested that some of the trails be redirected. The Scouts will be getting involved.

Motion made by Mr. Travalini, seconded by Mr. Murphy to approve minutes of December 6, 2013. Unanimous.

Ms. Catrone shows the Commission a sketch done by Fred Sibley of the DPS. Mr. Sibley would like to do some work at Choate Park next to the River. The Commission agrees they would like Mr. Sibley to come in informally to discuss his plan.

Request for Determination - 5 Iarussi Way - Adam Fauton

Present is Mr. Norman Hill, Engineer and President of Land Planning, representing Mr. Fauton. Mr. Hill is requesting a Negative Determination to install an in-ground pool and concrete patio.

Ms. Catrone states the rear yard is flat to the tree line then drops 4 or 5.

Mr. Hill states the erosion control is shown on the plan at 57 feet from the wetland line. Any stock piling will be outside the 100 foot buffer. He states the grade will not change. The excavated material will only be used to backfill. Straw wattles are shown on the plan for erosion control.

The Commission requests Ms. Catrone check to see if marking are shown on the plan, in the rear yard on the old order of conditions.

Mr. Hill states the owners would be willing to put up signs.

Mr. Hill states the Town of Medway owns property in back.

Motion made by Mr. Travalini to issue a negative determination with the following conditions:

1. No back washing toward wetland.
2. Straw wattle and orange fence are installed and inspected prior to start of work.
3. Stock pile is to be taken off after backfill is complete.

Notice of Intent - DEP #216-813 - Charles River Canoe Access - Town of Medway

Mr. Catrone states the Engineer, Mr. Anthony Stella, was unable to attend tonight. Ms. Tina Wright was supposed to attend. Ms. Catrone states she can do the presentation. She is very familiar with the project save as many trees as possible.

erosion control shown.

Sign? Don't use hay bales for erosion control

Dave issue as per plan and that siltation barrier be approved prior to installation. Tony

Discussion items:

1. Certificate of Compliance – #216-532 - 33 Fairway Lane - issue. Dave tony to have this signed at the next meeting
2. Discussion of Town of Medway Rules and Regs.

Motion made by Mr. McKay, seconded by Mr. Murphy to adjourn the meeting. Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

February 7, 2013

The Medway Conservation Commission held its regularly scheduled meeting on February 7, 2013 at Medway Town Hall, Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi and Conservation Commission Agent, Karon Skinner Catrone.

7:30 p.m.

- Call to order
- Approval of minutes –January 17, 2013 –**Motion made by Mr. Murphy, seconded by Mr. Biocchi to approve the minutes of January 17, 2013. Unanimous.**
- **Informal discussion – Choate Park – Fred Sibley, DPS-** Mr. Sibley is present to give the Commission an informal presentation of work proposed at Choate Park. The proposed work includes removal of invasive plants, providing an area for a bench, construction of a wall, adding plantings between Chicken Brook and the western property line and connecting the sitting area with a walking area to Oak Street.

Mr Sibley gives a power point presentation. He states he has been working with Ms. Catrone to mark the invasive plants. The Boy Scouts were involved with the clean-up of invasive plants. DPS put wood chips from the recycling center on the unstabilized areas. The compost berm has been replaced in the last week at Ms. Catrone's recommendation. Mr. Sibley states he would like to rebuild the wall next to the stream. He is proposing a wall the same style as Oak Street arched bridge. He states he is proposing a 25 foot long wall. There will be some grading involved. The DPS has a very low budget at this point. We are currently looking for donations. We would like to connect this area to the Thayer property.

Mr. Sibley states tonight he is looking for approval to go ahead with this project. He would like to put plantings next to the brook. Mr. Silbley could work with Ms. Catrone.

Mr. Travalini states the first 7.5 feet should be native plantings. He states you need to put together an NOI. Ms. Catrone can help you. The NOI should include first 7 feet native then ornamentals can be planted. He explains the DEP process

Community Farm - Working with Brittney Sidway - Ms. Catrone states she explains to Ms. Sidway if she files an RDA to get an agricultural exemption she would be able to use more of the area for farming. The Commission would like her come to the next meeting.

Discussion items –

1. Discussion of Town of Medway Wetlands Rules and Regulations and Town Wetlands By-laws with respect to the fees charged for conservation commission activities including but not limited to; Certificates of Compliance, Notices of Intent, Requests For Determination, Site Inspections, Resource Delineations etc.
2. Sign Certificate of Compliance for 33 Fairway Lane



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

AGENDA

February 21, 2013

The Medway Conservation Commission held its regularly scheduled meeting on February 21, 2013 at Medway Town Hall, Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi and Conservation Commission Agent, Karon Skinner Catrone.

7:30 p.m.

- Call to order
- Approval of minutes – Motion made by Mr. McKay, seconded by Mr. Biocchi to approve the minutes of February 7, 2012.
- **9 Little Tree Road –NOI – 216-?** –Damon – swimming pool and shed - Present is Mr. Norman Hill, of Land Planning Inc., representing Mr. and Mrs. Damon, owners of 9 Little Tree Road. Mr. Hill is requesting an Order of Conditions to install an in-ground pool and a 14' x 14' shed. Mr. and Mrs. Damon are proposing a salt water pool with a cartridge filter. Mr. Hill states there is no backwashing required with a cartridge filter. He states there is an existing deck, shed, patio and BBQ pit. 9" Maple and 10" Oak will need to be removed. The Damon's are proposing to plant two new trees. Mr. Travalini states he would like to hold a site walk on Saturday, February 23, 2012 at 9:00 a.m.

Motion made by Mr. McKay, seconded by Mr. Biocchi, to continue the hearing to March 7, 2013 at the request of the applicant to allow the Commission to do a site walk. Unanimous.

- **Thayer House –NOI –DEP #216-0814 –Town of Medway** –Present are Mr. Dan Hooper and Mr. Jim DeVellis PE. Mr. Hooper is the chairman of the Thayer Homestead Development Committee (THDC). Mr. Hooper states the THDC is proposing to renovate the existing structure, construct an addition and to do improvements to the existing parking area.

The project is within the jurisdictional 200 foot River Front area of Chicken Brook and the 100 jurisdictional area of the pond.

The existing conditions are shown on the plan. There is some existing parking and trees which will need to be removed. The entrance will remain as it exists, new pavement will be put down and there will be an addition to the existing house.

Regarding the drainage, the high point is at the house. We did analysis for the 100 year storm event. There will be drainage swales and a detention basin to catch the water before it hits the Brook. The Planning Board has requested an additional fore bay.

A Landscape plan including additional trees in parking has been submitted. The beech tree will remain untouched.

Ms. Catrone states she has been working with Mr. DeVellis for several months on this project. She states she has suggested several changes and the Engineer has revised the plans as requested.

Motion made by Mr. McKay, seconded by Mr. Biocchi, to continue the hearing to March 7, 2013 to allow the Commission to look at the site if they wish. Unanimous.

3 Kings Lane –NOI – 216-0816 –Hansen –addition – Present is Mr. Paul DeSimone of Colonial Engineering, representing Mr. and Mrs. Hansen. The owners are requesting an Order of Conditions to construct a 16' x 18' addition, and a 16' x 14' deck. They would like to take down the existing deck and put a new deck on the left. All of the construction is on existing lawn. Ms. Catrone states there is a small slope in the rear of the house. The commission discusses boundary markers.

Motion made to issue an Order of Conditions with the following conditions: erosion control is to be installed and inspected prior to work, and all material (wood and excavated) are to be removed from site.

2B-1 Daniels road – NOI - DEP # 216-0817 Mr. Murphy recues himself.

Present is Mr. Daniel O'Driscoll, surveyor, representing Mr. Matthew DeSorbo. The applicant is proposing a single family home, septic system and associated grading. All proposed work is outside of 35 feet from the wetland. A filter mitt is proposed for erosion control. There is a detention pond associated with the project. The Planning Board required the detention basin. Recharge is proposed on the site.

The Commission agrees they would like to look at this site. A site visit is scheduled for Saturday, February 23, 2013 at 9:30 a.m.

Motion made by Mr. McKay, seconded by Mr. Biocchi to continue the hearing to the March 7, 2013 to allow the Commission to visit the site. Unanimous

Discussion items –

- 1. Discussion of Town of Medway Wetlands Rules and Regulations and Town Wetlands By-laws with respect to the fees charged for conservation commission activities including but not limited to; Certificates of Compliance, Notices of Intent, Requests For Determination, Site Inspections, Resource Delineations etc. Tabled.

Motion made by Mr. Travalini, seconded by Mr. McKay to adjourn the meeting. Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

June 20, 2013

The Medway Conservation Commission held its regularly scheduled meeting on June 20, 2013 at Medway Town Hall, Sanford Hall, Medway, MA. In attendance were members Dave Travalini, Glenn Murphy, Anthony Bocchi, and Conservation Commission Agent, Karon Skinner Catrone.

Discussion items -

Certificate of Compliance – 17 Tulip Way -#216-0161- Ms. Catrone states she will check the site Monday for any obvious issues if that is acceptable to the Commission.

Motion made by Mr. Travalini, seconded by Mr. McKay to issue the Certificate of Compliance for #216-0161 based on Ms. Catrone's inspection. Unanimous.

Certificate of Compliance – 39 Populatic Street - Ms. Catrone states the file is missing from the archives. She inspected the site today and everything looked very good.

Motion made by Mr. Travalini, seconded by Mr. McKay, to issue the COC based on the recommendation of the Conservation Agent. Unanimous.

RDA - Town of Medway - Idylbrook Park - Present is Mr. Fred Sibley of the Department of Public Services. He states they would like to put in an irrigation system because the fields are difficult to care for in the dry season. Mr. Sibley shows the Commission where the tank will be located. There will be temporary disturbance for only one day. He states a 20,000 gallon tank will be installed. We have removed much of the invasives on the site. There was a lot of Russian olive. That tank will only need one manhole cover. Mr. Silbey states he would like to start this project in a couple of weeks.

Ms. Catrone states she was out to the site. The area was all grass.

Motion made by Mr. Travalini, seconded by Mr. Murphy, to issue a negative determination with the condition a silt fence be installed and inspected prior to the start of work and it remain for the duration of the project. Unanimous.

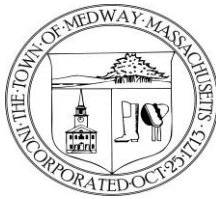
ANRAD - Wintrop Street - Present is Mr. Paul DeSimone requesting the issuance of an Order of Resource Delineation. Mr. Travalini asks if there are any Vernal Pools on the site. Mr. DeSimone points out a couple of areas that are potential Vernal Pools. Mr. Travalini states the Commission is aware that Mr. Wickett has already used his maximum disturbance associated with the entire project. Mr. Travalini states we would like to have Mr. Art Allen of Ecotech review the line. Mr. DeSome requests a continuance to the next meeting. Mr. McKay would like to have Mr. Allen come to the meeting to present his report. He requests that Mr. Allen pay attention to Potential Vernal pools.

Motion made by Mr. Murphy to continue the hearing at the request of the applicant to have Mr. Allen review the wetland line. Seconded by Mr. McKay. Unanimous.

Discussion items continued -

Fern Path - Ms. Catrone states work has been started within 100 feet of the wetland. She has told the contractor he must stop work and install erosion control. The engineer has requested a site walk prior to the next meeting. Mr. Travalini states there will be no site walk until after the next meeting.

Motion made by Mr. Travalini, seconded by Mr. McKay, to adjourn the hearing. Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

July 18th, 2013

The Medway Conservation Commission held its regularly scheduled meeting on July 18th, 2013 at Medway Town Hall, Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi, Conservation Commission Agent, Karon Skinner Catrone, and Sreelatha Allam.

7:30 p.m.

- Call to order
- Approval of minutes – May 2, 2013, April 4, 2013, May 16, 2013, June 6, 2013, June 20, 2013. None approved.
- NOI – Town of Medway – 36 Main Street - Present is **Mr. Scott Miller, Haley and Ward, Inc., and Mr. Thomas Holder, DPS Director** – Continuing the discussion from the June 20th meeting regarding the extension of a drain off of Rt. 109. Conditional approval was given in the last meeting if the drain is stopped at the headwall. Mr. Miller states that the project was approved with the exception of work in the wetlands. He was present to get the feedback from the board after the scheduled site visit.
- Mr. Travalini states that the wetland is a stream which has sufficient scouring and banks. It is very difficult to replicate it and that the regulations might not allow the board to do this. There must be a serious need to fill the wetlands. There are higher performance standards for streams and he strongly feels that there is no need for this replication project.

Mr. Holder states that the source of this stream is not natural water and he suggests that it might be a good opportunity to control the scouring for which Mr. Travalini does not agree.

- NOI – Town of Medway – 2 Richard Road – Present is Mr. Scott Miller with the plan. The project is split into three areas the west section (67 Main St.), the central section (2 Richard St.), and east section 36 Main St. Mr. Miller states we are working with FEMA to alter and amend the project approach. He states that not to delay the project, the approach has been amended with FEMA on the east and the west and that he is present to get an approval from the commission before getting the final approval from FEMA and the property owners. There is an existing 30” HSRP drain that goes to an existing out wall. It will be replaced by 48” ADS pipe in order to provide the capacity needed. There is 100ft of work in the 100ft buffer zone. Existing headwall will be used to put in a larger pipe and will have a very minimal impact to the wetland. A barrier will be put along the perimeter of the work. Ms. Catrone states that she made the site visit and that it is fine. Work will not be started until the access to the properties is received. DEP # 216-823. **Motion made by Mr. Travalini to approve DEP # 216-823, seconded by Mr. Murphy. Unanimous.**
- ANRAD – DEP # 216-821 – Winthrop Street – Wickett – Present is Mr. **Paul DeSimone**, of **Colonial Eng.** Representing the owner Mr. James Wickett. The Town of Medway will collect 2K and pay the consultant.

Mr. Travalini states that there are big changes in the line and then it dies out. He states that the consultant should present a plan with the lines that need to be walked and approved. **Motion made by Mr. Travalini to authorize requiring Ecotec Environmental Consultant Services to walk the line ANRAD off of Winthrop Street DEP # 216-821 and continue to the next meeting, seconded by Mr. McKay. Unanimous.**

NOI – Lot 2 Dover Lane – Rodenhiser DEP # 216-827 – Present is Mr. **Robert Truax**, of **GLM Engineering** – Mr. Truax states that the project is not under construction yet. He shows a locust map of Lot 1, 2, 3 and 4 and states that there is a wetland between lots 2 and 3. He shows the layout for lot 2 and proposed roadway and mentions that these 2 lots need to come before the commission to get an order of conditions. The house is within the 100 ft. buffer and the septic system is located in the rear of the house. There is a walk-out basement on the left-hand side and a retaining wall off the corner. This and the porch are at grade. The back yard is flat and the garage is at-grade. He states that no work will be within 25ft buffer

of the wetlands. The wet line associated with the roadway was approved under an earlier order.

Mr. Travalini states that a site walk was done last year (2012) and that there were some issues with the lines. He asks if the lines have been re-evaluated or re-flagged.

Mr. Truax states that the Commission has moved the lines and those lines have to be walked again. He states his interest to be present when the committee makes the visit.

Attorney Deborah Batog is representing Gio Panella Family,

Asked the Commission if the septic design had been approved by the Board of Health. She states that it is not in the 10 ft. setback and that her client's right-of-way will be encroached. She expresses concern that the structure of the house and the septic system are closer than 10 feet from the right-of-way. She states that the system might fail in the future. She asks if the trees will be cut in the area and if the matter will come in front of the Commission if there is a failure within the 100ft buffer.

Mr. Travalini states that as long as the property owner's work is outside the 25ft buffer and has approval from the Commission the trees can be removed.

Mr. McKay states that the design of the septic system falls under the jurisdiction of the Board of Health.

Mr. Truax states that there is no setback requirement of 10ft. for the septic system and that it is not located in the right-of-way. The 10ft requirement in Title V is from the property line. He reiterates that the house and septic system are close to it but not within it and that the grading is within the right-of-way. The septic system can be put under the driveway as far as the impervious material issue goes. There is no venting and pavement is not proposed now or in the future.

Mr. Biocchi states that Board of Health has the authority to OK anything about the septic system. Mr. Travalini seconds that and states that the conservation commission conserves the wetlands but not structures.

The Commission decides to make a site visit on Monday July 22nd at 6:30 p.m. The applicant requested a continuance to August 1st, 2013. **Motion made by Mr. Travalini, seconded by Mr. Biocchi to continue to the next meeting on August 1st. Unanimous.**

- NOI – Lot 2 and 4 Fern Path – Narducci Corporation– Present is Mr. **Steve Poole, representing Narducci Corporation** – Mr. Poole states that he is here to discuss Lot 2 and 4 Fern Path. Mr. Poole shows a map and mentions that the 2 lots were subdivided in the 90's. He has proposed the construction of 2 single family houses. He states that the 100ft buffer cuts through the middle of the houses and the basement elevation will be 3ft above the wetland. Sewer, water and gas are readily available.

Ms. Catrone states that she made a visit to the site and that there is some work going on in the front of the property which probably is in the buffer zone.

Mr. Biocchi does not approve of this work being done since there is a Vernal Pool on the lot. Ms. Catrone assures that the ongoing work is close to the street and accurate. She also mentions that the wetland line is accurate.

A site walk is scheduled for 6:30p.m on Wednesday July 24, 2013.

Motion made by Mr. Travalini for DEP # 216-826 and DEP # 216-825 to continue to the next meeting, seconded by Mr. McKay. Unanimous.

John Greene, Medway Mills - Ms. Catrone states that she made a site visit and that Mr. Greene wants to cut some trees to put solar panels at the medway mills. Mr. Greene presents the plan and states that there are 2 large Oak trees close to the mill structure and the river. He states that these trees have to be cut at least 15 – 20 ft.

Mr. McKay expresses doubt about the site visit since this has not been advertised. He suggests that Mr. Greene should file a Request for Determination.

Mr. Biocchi mentions in order for Mr. Greene to get the Commission's opinion about the matter, it is a good idea to file with the town so that consensus can be provided on behalf of the board rather than from an individual.

Ms. Catrone offers help to file the RDA with the town.

Mr. Travalini states that once the approval is given to cut the trees then the applicant is expected to maintain the trees with the required height, he is not expected to come back every time it has to be pruned.

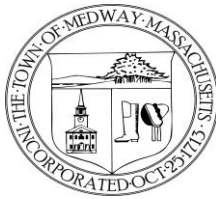
Mr. Greene states that one of the trees might be in the wetlands and that he is not sure how to go about it. Ms. Catrone suggests that he include this in the RDA.

Mr. Travalini states once the RDA is set up then a site walk can be scheduled at the next meeting and that a determination can be made.

Discussion Items –

Motion made by Mr. Travalini, seconded by Mr. Murphy to approve the inspection made by Ms. Catrone for Certificate of Compliance for Charles River Pollution Control – 216-0789. Unanimous.

Motion made by Mr. McKay, seconded by Mr. Travalini to adjourn the meeting. Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

August 1, 2013

The Medway Conservation Commission held its regularly scheduled meeting on August 1st, 2013 at Medway Town Hall, Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi, Conservation Commission Agent, Karon Skinner Catrone, and Sreelatha Allam.

- Call to order
- **Approval of minutes** – July 18, 2013. **Motion made by Mr. McKay, Seconded by Mr. Travalini, to approve the minutes of July 18, 2013. Unanimous.**
- **Enforcement Order – 14 Oak View Circle** -Ms. Catrone states that she issued an Enforcement Order after visiting 14 Oak View Circle. There was disturbance in the wetland. Nicolas Earle states that he bought the house in April 2013. He states that he could not see the skunk cabbage due to snow. He was not aware that skunk cabbage is an indication of wetland. Ms. Catrone did some soil sample and flagged the resource area. Equipment was used to scrape the top of the land. He states that his intention was to clear the debris and poison ivy and segregate the wetlands area.
Mr. Travalini states that Mr. Earle should use wetland seed mix to reseed the area. Mr. McKay states that some landscaping is acceptable. Ms. Catrone said that she will provide the contact information to purchase wetland seed mix and native plants such as High Bush Blueberry. Mr. Earle was asked to inform Ms. Catrone when the work starts. The Commission has agreed to lift the Enforcement Order.
- **ANRAD – DEP # 216-821 – Winthrop Street – Wickett** – Ms. Catrone states she has not received the check for \$ 2000 required by the Commission for a peer review.

Motion made by Mr. Travalini to continue the hearing to the next meeting, seconded by Mr. McKay. Unanimous.

- **NOI – Lot 2 Dover Lane – Rodenhiser – DEP # 216-827**. Present is Mr. Robert Truax, of GLM Engineering. Mr. Truax presents the Commission with a plan which was revised after the site visit. He states that the site has been re-flagged. The house has been moved up the hill. The retaining wall is still shown on the left but not as high (about 4.5 – 5.0 ft.). Mr. Travalini mentions that the site will be inspected again.

Attorney Deborah Batog, representing the Gio Panella Family, states that she is interested in seeing the revised plan. A site visit is scheduled for Aug. 12th at 6:30P.M.

Motion made by Mr. Travalini to issue an order of conditions for DEP # 216-826 lot 2 Fern Path as per plans with the additional conditions that silt fence and orange construction fence be installed and inspected prior to the start of work. Wetland bounds are to be installed as shown on the plans unless a rock wall is constructed, seconded by Mr. McKay. Unanimous.

- **NOI – Lot 2 (DEP # 216-826) and 4 (DEP # 216-825) Fern Path – Narducci Corporation**– Present is Mr. Stephen Poole, representing Mr. Michael Narducci. Mr. Poole states the lots were never developed. The applicant is proposing to build two houses. A site walk has been completed and the wetland line confirmed. They have proposed erosion control and an orange construction fence, as shown on the plan.

Mr. Travalini asks about the erosion control and suggests a compost sock be used. Ms. Catrone states that the silt fence must be trenched. Mr. Travalini states that the site must be inspected by Ms. Catrone before the work starts. He says that having wetland bounds or building a wall out of boulders is acceptable and that the silt barrier shown in the plan is silt fenced with construction fence topping.

Motion made by Mr. Travalini to issue an order of conditions for DEP # 216-825 lot 4 Fern Path as per plans with the additional conditions that silt fence and orange construction fence be installed and inspected prior to the start of work. Wetland bounds are to be installed as shown on the plans unless a rock wall is constructed, seconded by Mr. McKay. Unanimous.

Discussion Items –

- **Sign one year extension for Village Street** – This will be signed in the next meeting

Ms. Catrone states this was voted on at the last meeting. The Commission only needs to sign the document.

- Certificate of Compliance – 11 Dean Street – Ms. Catrone states that she has the letter from the engineer stating that everything is in significant compliance.

Motion made by Mr. Travalini to issue a certificate of compliance for 11 Dean Street DEP # 216-799 as per the recommendation of Ms. Catrone . Seconded by Mr. McKay. Unanimous.

- Certificate of Compliance -91 Village Street – Ms.Catrone states that she was expecting to receive the letter of significant compliance but has not received it yet.

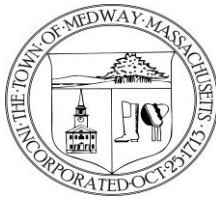
Motion made by Mr. Travalini, seconded by Mr. McKay to table this request to the next meeting. Unanimous.

- Emergency Order at High School- Ms. Catrone states that the beaver dam at the high school has been breached a couple of times. In the process of breaching, a large pile of debris is building up on the side of the dam. The town wants to bring in equipment, move the stone wall and scoop the shrubs out of the way so they can remove the debris caused by the breaching. The shrubs will be put back after the debris is removed. Mr. Travalini expressed concern that the roots might not re-connect if scooped out. Mr. McKay asks if the vernal pool is inundated.

Ms. Catrone states that there is a lot of flooding in the area. An emergency order has been issued by Ms. Catrone and it needs to be ratified. The order will be ratified at the August 15th meeting.

- 217 Farm Street – Millis Order – Ms. Catrone states that the DPW and the town of Millis will clear the sewer easement running next to 217 Farm Street. Mr. McKay mentions that the clearing is being done so that it can be used for cross-country sewer repair. The clearing is being done on Medway property as well. Mr. McKay suggests that Ms. Catrone should visit the site to make sure there are no concerns. An earlier order was issued by the Town of Millis but has expired. Mr. Murphy states if the easement is on the same footprint there is no need to get another order. The Commission agrees they would like Ms. Catrone to go and take a look. Erosion should be used where necessary.

Motion made by Mr. Travalini to adjourn the meeting, seconded by Mr. Murphy. Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

August 15th, 2013

The Medway Conservation Commission held its regularly scheduled meeting on August 15th, 2013 at Medway Town Hall, Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi, Conservation Commission Agent, Karon Skinner Catrone, and Sreelatha Allam.

- Call to order
- **ANRAD – DEP # 216-821 Winthrop Street - Wickett** – Applicant not present.
Motion made by Mr. Travalini to continue the hearing to the September 19th, 2013 meeting, seconded by Mr. Murphy. Unanimous.
- **NOI – Lot 2 Dover Lane – Rodenhiser – DEP # 216-827**. Present is Mr. Rob Truax, of GLM Engineering. The proposed Sewage Disposal System for Lot 2 Dover Lane Medway has been approved by the Commission.
- **NOI – 25 Main Street** _ Mr. Biocchi stepped down. Present is Mr. Biocchi with the documents for the 25 Main Street NOI.
Motion made by Mr. Travalini, seconded by Mr. McKay to issue an Order of Conditions for the construction of a single family home at 25 Main Street. Unanimous.
- **RDA 4 Granite Street Hudon** – Present is Ms. Natile Hudon with the RDA (Request for Determination of Applicability) document. The work involves the installation of a 6-inch thick concrete pad to accommodate an 8 foot X 10 foot residential storage shed. The Commission has approved the RDA.
Motion made by Mr. Travalini to issue a negative Determination of Applicability to allow the construction of a shed as shown on the plan, seconded by Mr. Biocchi. Unanimous.

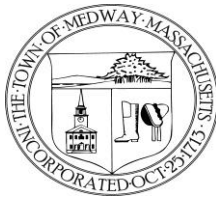
- **RDA The Mill-Greene** – Present is Mr. Greene. Mr. Greene is requesting a negative determination to trim trees for the installation of solar panels on the roof top of the buildings at the Mills, 165 Main Street. The Commission would like to visit the site to look at the trees state will be trimmed.

Motion made to continue the hearing to the September 5, 2013 meeting, seconded by Mr. McKay. Unanimous.

Discussion Items –

- Sign one year extension for Village Street – Signed and Approved by the Commission.

Motion made by Mr. Travalini to adjourn the meeting, seconded by Mr. Murphy. Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

September 5th, 2013

The Medway Conservation Commission held its regularly scheduled meeting on September 5th, 2013 at Medway Town Hall, Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi, Conservation Commission Agent, Karon Skinner Catrone, and Sreelatha Allam.

- Call to order
- **ANRAD – DEP # 216-821 Winthrop Street - Wickett** – Present is Paul De Simone with the changed plan. Mr. Simone states to the Commission that work will be done in phases and that he has changed the flags. Mr. Travalini stressed that work should not be done within 100 feet of the spots that have not been flagged. Received the check for 2000 dollars. **Motion made by Mr. Travalini to continue the hearing to the October 3rd, 2013 meeting, seconded by Mr. McKay. Unanimous.**
- **RDA The Mill-John Greene** – Tabled.

- **Notice of Intent - DEP#216-0829 – Charles River Pollution Control District – Present is Cheri Cousens , Director of Charles River Pollution Control District, and Magdalene Lofstedt Wetland Scientist, CDM Smith Inc.-** Ms. Cousens presented a quick run-down of the project coverage in the district and the mitigation measures adopted to protect the wetlands. She states that it is a three phase project and that it is in the final design phase. This phase of the project focuses on the FDC permit limits specially phosphorous from 0.2 to 0.1 limit which is a huge change and also bring the facility to a condition that can last for another 20 years without any major improvements. Few improvements to mention are to convert from gaseous chlorine to liquid sodium hypochlorite. This reduces the hazard of chemical used for disinfection not only for the community but also for the workers. A compressed air line will be added and the chemical lines from the disinfection building and the main building to the final sample shed will involve some excavation. Lot of work will be done to the building itself like the brick replacement, roof replacement which is in dire need at this time. Operators will be provided with secure stations to run the facility. Several analyzers will be added to the whole facility to monitor effectively.

Ms. Catrone states to the Commission that she has questions with the Notice of Intent (NOI) and the plan.

Ms. Lofstedt presented the work specific to the Conservation Commission review. She states that in terms of side improvements there will not be any new impervious area, no improvement to the drainage system. The work within the Commissions review is related to the installation of the piping and ducts. In order to convert the gaseous chlorine to sodium hypochlorite, a one inch and $\frac{3}{4}$ inch PVC pipe will be installed to send the compressed air to the sampling shed. Ms.

Lofstedt states that there will be some trench excavation in the area. It does not involve the removal of any trees or vegetation and it's all within the fenced area. There will be a new raw water line to feed a hydrant. It is needed for improved cleaning of the aeration tank. The main reason for the improvement is to increase nutrient removal from a secondary treatment. There are eight individual tanks, and two larger tanks. Trench work will be done to install 3 foot diameter pipe. It will bring the mixed liquid, suspended solids into those two chambers. The duration of construction is 26 months (estimate).

Mr. McKay enquired about the erosion control and asked if they come close to the wetlands. Mr. Travalini states that erosion control should be put on 25 feet so that the wetlands are not impacted. He also reiterates that straw bales should be used but not the hay bales.

Ms. Catrone states that if straw wattles or compost sock is used then the roots don't have to be dug up.

Abutters were present for this agenda item and Mr. Travalini explained the process of the meeting. Mr. Travalini mentioned that the Conservation Commission only handles wetland related issues and that issues related to noise, light will be addressed by the Board of Health.

Abutters: Helen Kelly, 72 Village St- Ms. Kelly asked if the project will be done in phases since the time estimate given is 2 years. Ms. Cousens said that it is still being determined and that she was not sure if the work would be done all at once or in segments. It's up to the contractor to come up with the work plan. It is their expectation to have the erosion control in place during the entire duration of the project.

Ms. Kelly then asked about the testing procedures that would be used if there is an issue with the $\frac{3}{4}$ pipe to the western wetlands. Ms. Cousens responded by saying that there will be at least one resident engineer present on site when the construction is in progress. Mr. McKay states that an assumption is being made that design process is going on

properly and they will have huge liabilities if it does not work well. Mr. Travalini says that he is assuming that a pressure test on the pipes will be conducted when the trench is still open. Ms. Cousens responded by saying that she is not sure about that but assures that the project will be tested at every stage. Ms. Kelly then asked about the flooding issue that has not been addressed in the presentation. Mr. Travalini said that he would like to see a plan that shows how the 3 foot pipe will be tested. He said that it will be part of the order of conditions that CDM Smith Inc. should submit the plan as soon as they receive it from the contractor. The plan should discuss the method that would be used to check and see that the new pipe installed does not have any leaks into the wetlands. Ms. Lofstedt stated that the 3foot pipe is 150 ft. long.

Greg Weilden, Village Street- Mr. Weilden asked if there will be any impact to the properties abutting the project. He received a letter from the town notifying about the project. Ms. Cousens said that his property might be close enough (within 300ft) to the project that's the reason he had received a notice from the town. She assured that properties will not be impacted. Ms. Catrone said she made a site visit before.

Mr. Weilden asked if there would any impact to the water table. Ms. Cousens responded by saying that the project should not have any effect on the water table. Mr. Travalini stated that the water table would be impacted if they dug up and replaced the flood pipe with an iron pipe.

Ms. Catrone asked if they had a construction sequence plan. Ms. Cousens responded by saying that they will have it before the project goes out for bidding. Ms. Catrone asked to be notified before the excavation is done in areas that impact the buffer zones so that she could make a site visit.

Ms. Kelly asked about the replacement plan for the straw bales and the straw wattles if they decompose in the two year span of the project. Ms. Loefsdts responded by saying that the contractor will inspect on a regular basis. Mr. Travalini stated that email pictures of the solicitation control near the 3ft pipe should be sent on a weekly basis as long as the pit is open.

Motion made by Mr. Travalini to issue as per plans with the additional conditions being that the 3ft pipe is tested and that the Concom agent is notified about the buffer zone. Photos of the erosion control to be sent on a weekly basis, seconded by Mr. Biocchi. Unanimous.

Motion made by Mr. Travalini to adjourn the meeting, seconded by Mr. Murphy. Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

September 19th, 2013

The Medway Conservation Commission held its regularly scheduled meeting on September 19th, 2013 at Medway Town Hall, Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Tony Biocchi, Conservation Commission Agent, Karon Skinner Catrone, and Sreelatha Allam, Night Board Secretary.

- Call to order
- Approval of Minutes-August 1st 2013- **Motion made by Mr. Biocchi to approve the August 1st meeting minutes, seconded by Mr. Travalini. Unanimous.**
- **Discussion Items-**
 - 2 Franklin Creek- replication-** Present is Mr. Paul Santosuosso. Ms. Catrone stated that it was brought to her attention by the Commission about work being done on his house. She clarified to the Commission that Mr. Santosuosso had approached the building department to get the permit and that he did all the right things in the process. She had missed

seeing the wetlands across the street and to the side of the property on the GIS picture when she had signed the building permit. Ms. Catrone reiterated to the Commission that Mr. Santosuosso was not aware that it was a wetland. She made a visit to the property on September 16th to determine the wetland line. Mr. Santosuosso had agreed to pull the fill back that was in the wetland, plant seed mix, and a tree in that place. He said the distance between the pool and the wetland is 40 – 50ft and that the fill was done for grading purposes. Mr. Travalini explained the reason why the State and the Towns protect wetlands and that they act as natural filters and purify drinking water. Mr. McKay suggested that Mr. Santosuosso could plant bushes such as blueberries, and sweet pepper bushes instead of trees. Planting a Maple tree would be acceptable. Mr. Travalini said that native plants such as high bush blueberries grow well in wetlands. He suggested that Mr. Santosuosso should approach the Commission again with a diagram of the pool indicating the wetland line, and a planting plan put together by a professional landscaper. Mr. Santosuosso stated that he had plans to put a fence around the pool and construct a shed close by. He asked the Commission if building the shed would need a permit. Mr. Travalini said any construction activity within 100 feet of the wetlands would need a permit depending on the size of the shed. He explained the town by-laws of the 25 ft. no-build policy. Mr. Travalini reiterated that Mr. Santosuosso should submit the planting plan to the Conservation Commission within the next few weeks.

Mr. Santosuosso came back later on in the meeting with a question. He showed the picture and stated to the Commission that the 10 X 20 ft. squat had been scraped once. He was concerned that the lawn would be

wrecked if the machines went back again and said that he paid \$1000 to fix it. Ms. Catrone suggested that this work could be done with a shovel and if there were any rocks then they could stay without being disturbed or removed. Mr. Biocchi seconded the suggestion. Mr. Travalini suggested that the scooped out top soil from the disturbed area could be spread in the upland and put some seed mix in the wetland. Ms. Catrone stated that she would visit the property on September 23rd.

- **DPS – Town Wide NOI (Notice of Intent)** – Ms. Catrone submitted a NOI to the Commission and stated that the owner Tom is open to suggestions. She stated that it is a boiler plate NOI that most of the towns do for minor work that needs to be done under the supervision of the Conservation Commission. These NOIs are valid for a period of three years. The Commission members decided to make a decision on the NOI in the next meeting.
- **91 Village Street – DEP# 216-808- Certificate of Compliance-**
Ms. Catrone stated to the Commission that she had visited the property couple of times and that everything looked fine. **Motion made by Mr. Travalini to issue a Certificate of Compliance for DEP# 216-808 per the agent's recommendation, seconded by Mr. Biocchi. Unanimous.**

ANRAD-DEP # 216-821- Winthrop Street – Wickett- No action was taken on this agenda item since it was continued to the October 3rd meeting.

- **RDA-The Mill-John Greene – Motion made by Mr. Travalini to continue the Mill on Main Street for a request for determination, seconded by Mr. Biocchi . Unanimous.**
- **12 Daniels- DEP# 216-817- Certificate of Compliance-This item was not on the agenda for the meeting. Ms. Catrone stated that she visited the property which is a single family home. She reported that the property was in good condition and that the owner had put a propane tank above ground outside the 25 ft. buffer zone. Motion made by Mr. Travalini to issue a certificate of compliance for DEP # 216-817 per agent's recommendations, seconded by Mr. Biocchi. Unanimous.**

Motion made by Mr. Travalini to adjourn the meeting, seconded by Mr. Biocchi. Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

October 3rd, 2013

The Medway Conservation Commission held its regularly scheduled meeting on October 3rd, 2013 at Medway Town Hall, Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi, and Sreelatha Allam.

- Call to order
- Approval of Minutes-August 15th, September 5th 2013- **Motion made by Mr. Murphy to approve the August 15th and September 5th meeting minutes, seconded by Mr. Biocchi. Unanimous**
- **RDA – 97 Milford Street - Carneiro**— Present is Mr. and Mrs. Alex Carneiro. Mr. Carneiro stated that there is a drop-off abutting his garden with some stumps that he wanted to fill. He explained that his intention was not to fill the pond. Ms. Catrone after visiting the site suggested that Mr. Carneiro should submit paperwork to the Conservation Commission. The wetlands document that Mr. Carneiro's uncle has does not match with the ones that are available currently. Mr. Carneiro's uncle, Mr. De Santis is the owner of the property. The current town's

wetland map states that the garden on the property is part of the wetlands and Mr. Carneiro claims that it is not. Mr. Biocchi enquired if there was any site visit made before. Mr. Carneiro stated that the soil on Mr. De Santis's property was never tested. Mrs. Carneiro stated that there was re-mapping of the wetlands, an aerial shot that was never surveyed with stakes in the ground. Mr. McKay explained that survey work is more geographical and it does not relate to this issue. Mr. and Mrs. Carneiro stated that stakes were put in the ground to mark the wetlands probably in 1969. Mr. McKay said that wetland lines shift over a period of time. Mrs. Carneiro stated that the pond that was excavated for the fill was a breeding place for mosquitoes. Mr. Travalini suggested that BT for mosquitoes could be effective in treating the pond. It is a kind of bacteria or virus that feed on the eggs of the mosquitoes. Mr. Travalini enquired if the Carneiro's wanted to fill in to level out the backyard. Mr. Carneiro stated that filling the pond could be an option if he is allowed to and Mr. Travalini and Mr. McKay said that it is not an option. Mr. McKay stated that the pond could be treated for mosquitoes. Mr. Travalini explained the restrictions near and around the wetlands and the 25ft no-build policy. Mr. Carneiro stated that his house is 70 ft. from the wetlands and that he planned to do an extension. He stated that he might build a garage and some living area. Mr. McKay stated that it might be possible. Mr. Travalini stated that a site visit should be done before the Commission can give suggestions/ decision. A site visit has been scheduled for October 9th at 5:30 PM by the Commission. **Motion made by Mr. Travalini to continue the hearing to the October 17th, 2013 meeting, seconded by Mr. Biocchi. Unanimous.**

Motion made by Mr. McKay to adjourn the meeting, seconded by Mr. Murphy. Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

October 17th, 2013

The Medway Conservation Commission held its regularly scheduled meeting on October 17th, 2013 at Medway Town Hall, Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi, Conservation Commission Agent Patty Barry and Sreelatha Allam, Night Board Secretary

- Call to order
- Approval of Minutes- October 3rd 2013- **Motion made by Mr. Murphy to approve the October 3rd meeting minutes, seconded by Mr. Biocchi. Unanimous**

- **Discussion Items-**

1. **6 Independence Lane (Parcel D Open Space) – Deed**
Acceptance- Present is Ms. Susie Affleck-Childs, the Town of Medway Planning Director to talk about the open space parcel at the Ishmael Coffee Estate Sub Division also known as Parcel D at 6 Independence Lane. This parcel which was a part of the Ishmael

Coffee Estate sub division plan was identified as an open space in 2004. Ms. Affleck-Childs presented a map to the members of the Commission showing the details of the parcel. The parcel is 58,000 Sq. Ft. In 2004 Conservation Commission agreed in principal to accept 3 parcels D, E, and F. Two parcels have been accepted to date and Parcel D is the last one to be accepted which is the most challenging of all. Ms. Affleck-Childs said there was an order of conditions, a super ceding order of conditions, an enforcement order, and monthly monitoring for about two years as part of enforcement. Mr. McKay talked about the lawsuit associated with the parcel. A document from June 20th, 2010 indicated that on June 17th, 2010 the Conservation Commission voted and made a finding that the vernal pool was functional and that Parcel D could be accepted as open space for conservation purposes. Ms. Affleck-Childs requested the commission to accept the deed and vote. This is the standard procedure the town counsels will have the Commission do. The previous Conservation Commission agent, Ms. Skinner-Catrone visited the site this summer and a note from July 18th states that the vernal pool on the property is functional. Mr. Travalini stated that the note also mentions that Ms. Catrone observed a pipe in the ground flowing towards the parcel with possible grey water. Mr. Travalini asked Ms. Affleck-Childs if she had any knowledge about the matter for which she said no. Mr. Travalini said that the enforcement order was still in effect under the by-law. He said stated that the Commission had voted to lift the enforcement order, and that there was a functional vernal pool in June 2010. He stated that the town can accept the deed irrespective

of whether the Commission votes to accept the parcel as a conservation land or not. Ms. Affleck-Childs responded by saying that the Conservation Commission needs to accept the deed. Mr. Travalini stated that the commission should look into the pipe coming into the parcel before it votes. Mr. Travalini stated that the town should find out from the owner of the property about the pipe in the town's interest. Mr. McKay said that he was in favor of accepting this since it was a gem of a resource. It was an endangered species habitat that the owners of the property completely neglected resulting in a failed process. Mr. Travlini asked why the town had not accepted the deed since the Commission had voted on it three years ago. He said that the town should recommend the parcel before the Commission can accept it. Before the deed is signed, Mr. Travalini wants the town to find out more about the pipe coming into the property. If the pipe is sitting in the ground then it should be removed. Mr. Biocchi stated that the pipe might be coming into the parcel from Parcel 4. Mr. McKay asked why the town was interested in pursuing this for which Ms. Affleck-Childs replied that the parcel was part of the development plan and that the town wants to see this through. Ms. Affleck-Childs will work with Ms. Barry to inquire about the pipe in the parcel; therefore the Commission tabled the deed acceptance until the on November 7th, 2013 Conservation Commission meeting, pending the results of Ms. Barry's investigation of the pipe.

2. **136 Main Street (DEP # 216-99) – Certificate of Compliance Request-** Present is Paul DeSimone of Colonial Engineering, Inc.

to request a Certificate of Compliance for 136 Main Street. Mr. Travalini stated that the previous Conservation Commission agent Ms. Skinner-Catrone investigated this and that there was a certificate of compliance issued already. Ms. Barry concurred and stated that the Complete Certificate of Compliance was recorded for DEP # 216-99 on March 16th 2009. Mr. DeSimone requested a copy of the certificate.

3. **Continued RDA – 97 Milford Street - Carneiro**– Property owners Mr. and Mrs. Alex Carneiro were not present at the meeting. Mr. Travalini reported that he made a site visit on October 9th 2013. He stated that there are wetlands in the area and that the location where the Carneiro's want to level off is above the wetland area. He suspects that the area might have been a farm before since the soil is all black and seems to be churned out. He did not find anything that said that it was wet for a long period of time. Mr. Travalini stated that leveling the area should not be a problem as long as they provide some protection to the wetland area. **Motion made by Mr. Travalini to continue the hearing to the November 7th, 2013 meeting, seconded by Mr. Murphy. Unanimous.**
4. **102 Winthrop St ANRAD (DEP File#216-821)** - Ms. Barry will call the Consultant to find out the status.
5. **23B Fairway Lane-Notice of Intent (NOI) (DEP File#216-830)** - Mr. DeSimone was present to request for a NOI application review.

Since the item was not posted on the agenda the NOI and Order of Conditions could not be issued. For a question asked by Mr. DeSimone about the procedure of having the public hearing item on the agenda, Mr. Travalini stated that the purpose of the hearing should be clearly specified in the agenda. Members of the Commission decided that the discussion on this matter will be made after the item is put on the agenda and the legal advertisement placed in the Milford Daily as required by state law. This item will be reviewed on the November 7th 2013 Conservation Commission Meeting.

Motion made by Mr. Biocchi, seconded by Mr. Murphy to adjourn the meeting, Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING
Sanford Hall, Town Hall
155 Village Street, Medway, MA 02053
7:30 P.M.
Minutes
November 7th, 2013

The Medway Conservation Commission held its regularly scheduled meeting on November 7th, 2013 at Medway Town Hall, Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi, Conservation Commission Agent Patty Barry and Sreelatha Allam, Night Board Secretary

- Call to order
- Approval of Minutes- September 19th, and October 17th 2013- **Motion made by Mr. Murphy to approve the September 19th, and October 17th meeting minutes, seconded by Mr. Biocchi. Unanimous**
- **Discussion Items-**
 1. **7 Iarussi Way Lot 4 (DEP File # 216-672 & 689)** - Certificate of Compliance Request- Present is Joyce Hastings, from GLM Engineering. Ms. Barry informed the commission that there are two requests for certificate of compliance since there are two files open. The file # 216-672 is a close-out and the certificate of compliance for file # 216-689 is being requested since the property is being sold. She reported that no work was done on the property. Ms. Hastings explained to the Commission that a notice of intent (NOI) was filed initially and the Commission had issued an Order of Conditions that had expired. Ms. Barry said that she cannot recommend a complete certificate of compliance based on her site visit. She reported that the owners had a sign up which said Habitat Area, Medway Conservation Commission. They did not go beyond the limit of work on the backside. She reported that there is a patio which is more than 70 ft. away from the wetland.

The location of the infiltration chamber has been changed so that it is away from the wetland.

Motion made by Mr. Travalini to issue a Certificate of Compliance for DEP file # 216-672 based on the fact that work was not completed and never started, seconded by Mr. McKay. Unanimous.

Motion made by Mr. Travalini to issue partial Certificate of Compliance for DEP file # 216-689, all the conditions pertaining to the RDA will apply, seconded by Mr. Biocchi. Unanimous.

2. Continued Request for Determination of Applicability (RDA) – 97

Milford Street - Carneiro– Property owners Mr. Alex Carneiro and Mrs. Sonia Carneiro were present at the meeting. Mr. Travalini confirmed with Ms. Barry if the Carneiro's were explained about floodplain and its characteristics. Mrs. Carneiro said that the house is on a 100-year floodplain and said that she was confused as to why the house was built (built in 1969) if the area is a floodplain. Mr. Travalini explained that the Wetlands Protection Act came around 1970 and before that there were no rules for wetlands and floodplains. He said that in order to fill the floodplain, an adjacent area to the plain should be compensated and that there is not much the Conservation Commission can do due to the rules and the location of the yard. Mrs. Carneiro asked if they could plant grass in the area and Mr. Travalini agreed. Ms. Barry said that the Carneiro's cannot bring in any fill and that the topography cannot be changed.

Motion made by Mr. Travalini to issue negative Determination of Applicability with the condition that if grading is done on the site in the floodplain there will be no new material brought in and that silt fence be installed and left until planting is done , seconded by Mr. Biocchi. Unanimous.

3. 23B Fairway Lane-Notice of Intent (NOI) (DEP File#216-830)- Present is Mr. Steve Dexter, Colonial Engineering representing the property owners David and Jodi Eller. The Eller's want to construct an in-ground pool, associated patio and grading within the 100 ft. buffer zone to Bordering

Vegetated Wetland (BVW). Mr. Dexter proposed a 20x40-footpool in the rear of the property with a concrete patio around it. He said that erosion controls will be provided at the 25ft. limit and no major trees will be disturbed in the area. Ms. Barry stated to the Commission that she tried and made a site visit to the property but could not completely inspect the pool area because of an Alaskan dog on the property. Mr. Travalini decided to make a site walk with other members of the Commission. He stated that the dog should not be present during the Commission's visit. Site walk was scheduled for November 10th at 3:30 PM.

Motion made by Mr. Travalini, to continue DEP # 216-830, seconded by Mr. Biocchi. Unanimous.

Notice of Intent-10 Overlook Drive (DEP File # 216-831)-Present is Mr. Bill Halsing representing Andrea Cormier. Mr. Cormier owned this lot for about 20 years and she plans to build a single family home, garage, associated utilities including sewer, grading, and landscaping within the BVW and the 100 ft. buffer zone to BVW and Inland Bank. Mr. Halsing reported that the first choice for the sewage disposal on the property was a septic system, but the soil system was inadequate for a septic system under current conditions. The other alternative is the connection to a public sewer system. The previous agent, Karon Skinner Catrone had asked Mr. Halsing to contact the DEP regarding the matter. The DEP's response was that the connection will be permitted by the wastewater section as long as it does not present a wetlands problem. The regulations require that a septic system cannot be installed if a sewer connection is not available. The owner of the property has inquired with the neighbors to obtaining easements to accommodate a sewer pipe; no mutually acceptable agreements were reached. An amicable alternative would be to install the force main along Overlook Drive, Sun Valley Road and Holliston Street. But the Department of Public Services does not allow forced main in the Town's right of ways. Mr. Halsing said that the alternative of connecting the existing town sewer system located on Holliston Street was explored. This option resulted in crossing the wetlands. He said that the proposed work within the resource area will be accessed from Overlook Drive and from Holliston Street. The excavation for the sewer connection will be done using a mini excavator.

The goal is to minimize the wetland disturbance. Mr. Travalini asked about the timeline and the information about the entity(s) who flagged the wetlands. Mr. Halsing reported that it was done by Northeast Ecological Services in 2008. Ms. Barry reported that she made a visit and that there were wetlands across the street that were flagged. She said that the entire project is in the 100ft buffer zone including the street work. Mr. Biocchi asked if the original sub-division plan for the property was available. Ms. Barry said that she could only find the plan for the original 10 Overlook Drive. Mr. Travalini said that the sub-division plan will not exist since it was pre Wetland Protection Act period. Mr. Travalini said that 1400 Sq. Ft. of disturbance will be caused. Mr. Halsing said the top layer will be scraped with roots and seeds on one side and a trench dug on the other side. Compost Sock will be the siltation barrier. Ms. Barry reported that the wetland line appeared to be accurate. She said that it is a forested wetland and there is no water in the drainage swell. The project can be completed without taking the trees down. Based on the site plan, she is not convinced that it is the shortest route through the wetlands. She talked about a de-watering plan and Mr. Halsing stated that there is a dewatering statement on the plan. He said that if dewatering needs to occur, then a sump will be dug either in the foundation in the backyard and will be encompassed with silt sock. He said that sewer needs to run relatively straight if it's possible. Ms. Barry asked how far the nearest tie end street was from the sewer. She said the stream was culverted on both sides of the property and then comes back to a natural stream in the center and through the wetland.

Present is Mr. Victor Sloan (abutter) – Mr. Sloan owns the 136 Holliston Street property. His parents bought the house in 1972 and Overlook Drive was not completed at that time. He said that the entire area was wetlands. Around 1975 the area was filled-in illegally and a foundation hole was dug up. He said that he was never notified about the current construction plan. He received a call from Mr. Cormier about 9 months back saying that he needs easement across Mr. Sloan's property to put in the sewer system. A plan was sent to him with a little piece of the pipe passing through the corner of his property. Mr. Sloan conveyed that he ok to give easement to Mr. Cormier provided that the pipe is hooked up to his sewer system. Mr.

Cormier did not agree to the idea. He said that the notion of not being able to go across the property without disturbing the wetlands is false. Mr. Sloan said that he is willing to cooperate with Mr. Cormier. Mr. McKay enquired about the depth of the pipe and it is 3ft.

Present is Mr. Matt Roy (abutter) - Mr. Roy lives at the 6 Oakland Drive. He said that the area is very wet and that he was concerned about the effects on his property if any changes to the wetlands took place. He talked about standing water, and sump-pumps in the basements. Mr. Travalini explained that implementing this project should not have any negative impacts on their properties. Mr. Travalini said that it is in the purview of the Commission to ask the owner; Mr. Cormier to get a cost analysis performed analyzing the options proposed by Mr. Hansing and Mr. Sloan. Mr. Hansing clarified with Mr. Sloan about his requirement of running the sewer pipe in his property and hook up to the sewer system. Mr. Travalini confirmed with Mr. Sloan if the Commission could walk on his property during the site visit. Mr. Sloan agreed.

Present is Scott Carr (abutter) - He said that he agrees with Mr. Sloan's option. Mr. Travalini asked if the land filling was done by Mr. Cormier or somebody else. Mr. Biocchi asked Ms. Barry if there was any paperwork from the town that cited any individual to pull the filling out. Ms. Barry replied no. She said that there is statute of limitations and the issue is well beyond it. Mr. Murphy enquired if there was any deed restriction.

Mr. Frank Gatulis (abutter), who lives across the street from 10 Overlook Drive lot, reiterated that he has no objections with the plan but has similar concerns the other abutters expressed. He moved to the area in 1974 and never had any water problems for 10 – 15 years until the Red gate estate and the Church were built. Water started pouring across the street from the culvert. He currently has lot of water collected at the back of his property. He expressed that the current plan for 10 Overlook Drive might make it worse for his and the other properties. Mr. Travalini stated that nothing will change because the Mr. Cormier's plan is not raising the wetlands. It's a 4" pipe that is being put. He said the Commission's preference would be not to

see any disturbance to the wetlands during the installation process. He said Mr. Cormier is working within the guidelines of the laws in the proposal. He said that there was nothing he saw in the paperwork and plan that dictates the Commission to stop Mr. Cormier from moving ahead with the plan. He said the current water problems the abutters are facing might be because of the swampy Red gate estate. There is high water table in the area. He told the abutters that Mr. Halsing will talk to his client about the recommendations made by the Commission and will appear in front of the Conservation Commission in a few weeks. Site walk has been scheduled for November 10th at 2:30 PM.

Motion made by Mr. Travalini to continue DEP # 216-831 to the December 5th meeting, seconded by Mr. McKay. Unanimous.

RDA- 13 Dean Street- Present is Dana R. Clow, Civil Engineer from Advanced Concepts representing the property owners Edna P. & Emily C. Fahey. This Request for Determination is requesting for wetland resource area jurisdiction determination under the MA WPA and Medway Bylaw. The work proposed includes demolition of existing deck and staircase associated with 13 Dean St. (a single family home built in 1989) and reconstruction of deck and staircase within the 100-foot buffer zone to BVW within existing lawn and structures. Mr. Clow presented to the Commission the wetland delineation plan prepared by Ms. Judith Schmidt. He stated that the deck is 31 ft. from the wetland line that Ms. Schmidt had delineated and that the location is outside the 25 ft. buffer zone. The edge of the lawn is the wetland line. Mr. Clow said that the owners Mr. and Mrs. Fahey plan to tear down the existing elevated deck replace it in the same location in the same dimension which by itself will not need the RDA. At the ground level immediately under the deck a concrete pad will be built. The proposed pad will be 9 ft. 3 in. wide, extends 10ft. from the house foundation. 3 footings in the current deck will be removed and replacement of the footings would disturb the ground area. He said that the plan showed the silt fence decal or compost sock as two options for erosion control. Mr. Clow wanted to know if the Commission had a preference. Mr. Travalini stated that filter mitt is the preferred option for erosion control.

Motion made by Mr. Travalini to issue negative determination of applicability for 13 Dean Street as per plans with the siltation control to be filter mitt and that all excavated material that is not re-used to be removed from the site, seconded by Mr. Biocchi. Unanimous.

102 Winthrop St ANRAD (DEP File#216-821) - Mr. Paul Simone was presented at the meeting to inquire the Commission about the Wickett Property. He said to the members that the matter was continued in the earlier meeting. Mr. Biocchi asked if it is essential to post an item on the agenda if it has been continued from earlier meeting. Mr. Travalini said that this item should be put on the agenda for the next meeting (December 5th, 2013).

Motion made by Mr. Travalini to continue ANRAD DEP File # 216-821-102 Winthrop St to the December 5th meeting, seconded by Mr. McKay. Unanimous.

Jennifer Bosselman- Conservation Commission Member Recommendation- Present is Ms. Bossleman – She expressed her interest to be more involved with the town of Medway. She introduced herself and the members welcomed her. She has been living in Medway since 2007. She is a Chemical Engineer with a minor in Environmental Engineering and had worked in the industry since 1993. She currently works at Harvard University. Mr. Travalini asked her if she was aware of Conservation Commission background and rules. Mr. McKay said that Commission is a four member board with a quorum of three. The members agreed that Ms. Bosselman was well qualified for the position and stated that they would make a recommendation to the Board of Selectmen to appoint her for the position. Ms. Barry was asked to write a letter to Ms. Kennedy, Town Administrator making the recommendation to the Board of Selectman.

Mr. Murphy stepped down after making the recommendation for Ms. Bosselman as the new Commission member.

57 Fisher Street Lot 2 (DEP File #216-739) - Certificate of Compliance Request- Ms. Barry reported that everything was done according to the plans

except that the owners were to have a landscape area and they decided to keep it natural and stabilized. She stated that the owner had a tiny stock pile area 50+ feet away from the buffer zone.

Motion made by Mr. Travalini to issue Certificate of Compliance for DEP # 216-739, 57 Fisher St. Lot 2, seconded by Mr. McKay. Unanimous.

6 Independence Lane (Parcel D Open Space) – Deed Acceptance- Ms. Barry reported to the Commission about her site visit to the parcel. She reported that there is a 6ftx 3in. diameter PVC pipe which seemed like it did not have any purpose and the storm water goes directly into the pool. There is a monitoring well and maybe the pipe is from that well. She said that there is no reason for the Commission not to accept the deed for the parcel.

Motion made by Mr. Travalini to accept the deed for 6 Independence Lane parcel, seconded by Mr. Biocchi. Motion was opposed by Mr. McKay.

257, 261-265 Village Street (DEP File # 216-731)-Re-Sign Extension Permit- Ms. Barry reported that Mr. Einis on Village Street had applied for Notice of Intent (NOI) application. She had verbally issued a cease and desist order to stop all work. Mr. Biocchi said that Mr. Einis had completely disturbed the place and that everything that was cleared was part of the wetland. Ms. Barry said that the wetland that was approved with the DEP File # 216-731 showed the wetland further back. Mr. Travalini stated that an enforcement order should be issued and it has to be documented. The enforcement order should state that all the work has to be stopped and that all wetlands on the property need to be restored. He said that Mr. Einis should appear before the Commission and this issue has to be discussed before the NOI is worked on. Ms. Barry said that a restoration plan can be made as a requirement. Mr. Travalini said that the last time the wetlands were flagged it was done by Mr. Einis' attorney who might not be qualified to do that task. Mr. Einis had already crossed his 5000 Sq. Ft. limit for disturbing the wetlands. Mr. Travalini asked Ms. Barry to issue a written

enforcement order and suggested that she should be accompanied by someone when the order is served.

Ms. Barry said that at the same site an extension permit was issued for the original project. She said that the Einis's did not have the original so they could not record the extension for the permit. She had asked the members that the extension permit needs to be re-signed since it has not expired yet according Massachusetts Permit Extension Act. Mr. McKay did not agree to sign automatically unless it was requested again. Ms. Barry said that a request was made already and that it is ok to re-sign the permit. The members re-signed the extension permit.

NOI- 25 Main Street – This item was presented in the August 15th 2013 Commissionmeeting by Mr. Biocchi. He had stepped down before this item was presented to the Commission. Ms. Catrone the previous Agent mistakenly got the paperwork signed by Mr. Biocchi as one of the signatures for thisOrder. Mr. Biocchi wanted to go on record to convey that his name was crossed out on the application and that he did step down when the item was presented.

Motion made by Mr. Travalini to adjourn the meeting, seconded by Mr. McKay. Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING

Medway Middle School

45 Holliston Street, Medway, MA 02053

7:30 P.M.

Minutes

November 26th, 2013

The Medway Conservation Commission held its regularly scheduled meeting on November 26th, 2013 at Medway Middle School. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi, Jen Bosselman, Conservation Commission Agent Patty Barry and Sreelatha Allam, Night Board Secretary

- Call to order
- Approval of Minutes- November 7th 2013- Tabled.

- **Discussion Items-**

1. **Continued Notice of Intent – 23B Fairway Lane (DEP File # 216-830)** – Present is Paul De Simone. Mr. De Simone reported to the Commission that there were no changes in the construction plan for the property. Mr. Travalini stated that a site visit was made by him and other members of the Commission. He said the wetlands were as they were stated in the plan with a rise in the backyard and drop down towards the wetlands. Mr. Travalini asked about the siltation barriers and Mr. De Simone reported that straw wattles will be installed.

Motion made by Mr. Travalini to issue an Order of Conditions for DEP # 216-830, 23B Fairway Lane as per plans with the additional condition that all soils excavated during the construction of the pool be removed from the site, seconded by Mr. McKay. Unanimous.

2. **Request for Determination of Applicability – Lot 2 Tulip Way** – Present is Mr. Bill Halsing with Mr. and Mrs. Rich O'Brien. Request was made for wetland resource area jurisdiction determination under the MA WPA and Medway Bylaw. Work proposed includes grading, lawn and retaining wall installation associated with the construction of a new single family home located within the 100-foot buffer zone to bordering vegetated wetland. The construction of the home, driveway, patio and septic system

are all located outside of the buffer zone. Ms. Barry stated that the wetland line was initially established during the original sub-division. She checked the wetland delineation flags and concurs with the delineation. She said that the parcel is at the location where two storm water basins had been put and agreed that compost socks would be appropriate erosion controls. Ms. Barry asked for a Certificate of Compliance for the original sub-division and a partial Certificate of Compliance for the Lot 2 Tulip Way. Mr. Travalini stated that the siltation sock barrier be extended along the north side of the lot. Mr. O' Brien said that the siltation barrier has already been put in. Ms. Barry stated two conditions; Ms. Barry and the commission should be informed in writing one week prior to the work being started, and the second regarding having the siltation controls in place.

Motion made by Mr. Travalini to issue negative Determination of Applicability for Lot 2 Tulip Way with the two conditions stated by Ms. Barry be applied, seconded by Mr. Biocchi. Unanimous.

3. **6 Independence Lane (Parcel D Open Space)** – Deed Acceptance – This item came back on the agenda since the document signed in the October 17th 2013 meeting had two signatures only. The third member present in the meeting, Mr. McKay voted against the acceptance of the deed. The parcel was re-accepted again since there was not a majority of member signatures on the previous acceptance. Mr. Travalini stated that the Medway Planning Board had the expectation that the deed should be accepted by the Conservation Commission. He said that the applicant is looking to relieve some tax burden. Mr. Travalini said that he is ok to accept the deed for 6 Independence Lane. Mr. McKay informed to the Commission that his position on the matter has not changed.

Motion made by Mr. Travalini to accept the deed for 6 Independence Lane Parcel D, seconded by Mr. Biocchi, abstained by Ms. Bosselman, opposed by Mr. McKay.

Mr. Biocchi stepped down after the acceptance of 6 Independence Lane Deed.

4. **Notice of Intent-257 Village Street (DEP File # 216-xxx)** – Present is Tom Roux, Civil Engineer with Mr. Einis. Mr. Roux explained to the Commission about the project which is the construction of a sewer pump unit, manhole and 6-inch sewer pipe along with driveway reconstruction, front walkway, grading and landscaping associated with an existing single family home within Bordering Vegetated Wetland and the 100-foot buffer zone to Bordering Vegetated Wetland. Mr. Roux said that the property has an existing 1000 gallon septic tank which needs to be connected to the sewer system. He said that

there is sewer available on Village Street but not in front of the 257 Village Street property. He spoke with the Sewer Commissioner about the issue. The Commissioner said that the Village Street cannot be dug up for this purpose due to utilities in the ground and it might have an impact on the traffic. Mr. Roux is proposing to run the force main along the back edge of the property and this was suggested about three years ago. The property line was off-set 40 feet and this resulted in going into the wetlands. The project was shut down both by the DEP and Conservation Commission. Mr. Roux showed the Commission the plan where the new waste water line will enter the grinder pump and the property line will be off-set just 5 feet. There will be a very small portion of wetland crossing in this plan. He was told by the Conservation Commission that the disturbance should be kept within 5000 Sq. Ft. He explained to the Commission that the off-set of 5ft. brings the wetland buffer zone disturbance to 4808 Sq. Ft. The impact of the actual wetlands is 182 Sq. Ft. Mr. Roux talked about five properties which have septic issues in the vicinity of 257 Village Street property. He proposed that a "Y" connection will be provided in the force main behind each one of these houses. A stub will be put in and whenever the property owners have a need to tie-in they could connect to the force main and empty into the sewer manhole. Sewer Commissioner did not want a hole to be dug into the sewer structure. Mr. Travalini explained that as part of rules and regulations the property cannot be divided into chunks. He also said that when the Notice of Intent was filed, the Commission was not informed about the contiguous properties that Mr. Einis owned. He said that during their site visit few years ago augurs were put in the ground indicating wetlands in the backyard and that they do not show up in the current plan. He questioned Mr. Einis about the construction equipment used to level the area. Mr. Einis replied that he had an existing order of conditions which allowed him to level the area. The weeds were taken out and the soil was not touched and it was not wetlands. Mr. Travalini recommended wetland delineation for the property. He reiterated that the area should be flagged by a wetland scientist. Ms. Barry said that under the enforcement order the property should be re-flagged to establish the boundaries and have the restoration plan together. Mr. Travalini explained that a 5000 Sq. Ft. disturbance is allowed and if it goes beyond the allowable limit due to a project requirement then replication needs to be done. Ms. Barry said that the work is limited in nature and that 192 Sq. Ft. of wetland area was proposed to be disturbed according to the delineation and 4,808 Sq. Ft. in the buffer zone. Mr. McKay asked if it should be an amendment to the existing order of conditions and Ms. Barry explained that it is entirely a new project. He asked them to read the by-laws and get acquainted with the rules. Mr. Travalini asked the audience if there were any concerns with the project.

Mr. Henry Ridikki (abutter), 252 Village Street- Mr. Ridikki asked the cost he would incur on his property if Mr. Einis's project was implemented. Mr. Travalini explained that it is not part of Conservation Commission discussion. Ms. Barry said that the filing fee has to be re-calculated.

Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-xxx) for additional information to the December 5th, 2013 meeting, seconded by Mr. McKay. Unanimous.

5. **257 Village Street Ratify Enforcement Order** - Motion made by Mr. Travalini to ratify the enforcement order for 257 Village Street issued on November 19th 2013, seconded by Mr. McKay. Unanimous.
6. **Request for Determination of Applicability – 58 Oakland Street**- Present is Ms. Joyce Hastings representing Mr. Robert Callahan. Ms. Hastings said that a request is being made for wetland resource area jurisdiction determination under the MA WPA and Medway Bylaw. Work proposed includes demolition of an existing single family home and patio, a portion of which is located within the 100-foot buffer zone to bordering vegetated wetland. A portion of the house sits within the 100 ft. buffer zone, erosion control barrier will be provided on the backside of the house as shown in the plan. All the staging and dumpsters will be outside the 100 ft. buffer zone. All the demolished material will be removed from the site. She said that a Notice of Intent will be filed in the next few weeks. Mr. Travalini asked about the existing cesspool. Ms. Hastings said that the intention is to demolish the abandoned house and then the notice of intent will be filed; the septic system will be properly abandoned. Mr. Travalini asked for how long the house was abandoned. Mr. Callahan stated that it was vacant for about two years and was damaged by fire.

Motion made by Mr. Travalini to issue a negative Request for Determination for 58 Oakland St, seconded by Mr. McKay. Unanimous.

7. **7 Little Tree Road (DEP File # 216-458) - Certificate of Compliance Request** - Present is Mr. Todd Lundin the new property owner requesting a partial request for Certificate of Compliance. Mr. Travalini asked Ms. Barry if there is an issue with issuing a partial certificate of compliance for the property. Ms. Barry said that it is a simple request for certificate of compliance. Mr. Lundin asked the Commission if he is allowed to have an invisible dog fence line. Mr. McKay said that it is fine as long as the fence is within the

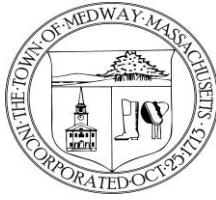
yard area of the property. Plot plan is available and is associated with an isolated wetland.

Motion made by Mr. Travalini to issue Certificate of Compliance for DEP # 216- 458, 7 Little Tree Road, seconded by Mr. Murphy. Unanimous.

Mr. Biocchi stepped back in during the 7 Little Tree Road Agenda Item.

8. **Conservation Commission Member (5 Vs. 7 members) - Discussion-**Mr. Travalini stated that there were some earlier discussions with the Town of Medway Selectman about reducing the size of the Conservation Commission from 7 members to 5 based on the performance. It was decided that quorum will be 3 for the Commission. He said that Conservation Commission is still a 7 member board which means that quorum will be 4. Mr. Travalini said that the town can reduce the size of the board to 5. Ms. Barry said that the Massachusetts Conservation Commission Act warrants a 3 to 7 member Board. Mr. Travalini wanted to find out from the town if the Commission could enroll members if they received new applications. Ms. Barry confirmed that the vote might take place on Monday, December 2nd 2013. Mr. Travalini said that the Commission should be able to encourage members who show interest to volunteer their time to the Commission. Mr. Travalini asked the members if they had any objection if the Board size was reduced to 5 and the members said that they would be OK with the arrangement as long as the Commission has the flexibility to enroll new members. Mr. Biocchi talked about having alternates for the Board but Mr. Travalini expressed that it might not be necessary.

Motion made by Mr. Travalini to adjourn the meeting, seconded by Mr. Murphy. Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING

**Sanford Hall, Town Hall
155 Village Street, Medway, MA 02053**

7:30 P.M.

Minutes

December 5th, 2013

The Medway Conservation Commission held its regularly scheduled meeting on December 5th, 2013 at Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi, Jen Bosselman, Conservation Commission Agent Patty Barry and Sreelatha Allam, Night Board Secretary

- Call to order
- Approval of Minutes- November 7th 2013. **Motion made by Mr. Murphy to approve the November 7th meeting minutes, seconded by Mr. Biocchi. Unanimous.**

1. **2 Fern Path (DEP File # 216-826) – Certificate of Compliance Request- Present is Mr. Michael Narducci.** Ms. Barry made a site visit to the property on December 3rd. 2 Fern Path is under agreement to be sold and a partial Certificate of Compliance is being requested. The driveway will be extended, it's not completely re-vegetated in the back and there is concrete bounds on both sides. Mr. Narducci stated that the entire yard has been seeded. Ms. Barry said that she will not recommend a complete Certificate of Compliance for the property. She said a Partial Certificate of Compliance can be issued with few conditions released. Out of 35 only 4-5 conditions can be released. Mr. Narducci said that he preferred a complete Certificate of Compliance. He said that the Siltation fence which is not in the wetland and orange fence will be removed before they freeze into the ground. Ms. Barry said that once the Certificate of Compliance is issued no further work will be allowed on the property. Mr. Travalini asked Ms. Barry if a certificate of compliance can be issued now and a RDA for the rest of the work. Ms. Barry said that Mr. Narducci can still sell the house with a partial Certificate of Compliance. She said that the driveway section has not been completely installed and reiterated that people buy properties with partial Certificate of Compliance. Mr. McKay said that it is a good idea to have the fence stay in place all winter. Mr. Travalini gave a choice to Mr. Narducci saying that the Commission can issue a partial Certificate of Compliance or Mr. Narducci can complete the pending work and come back before the Commission in two weeks to get the complete Certificate of Compliance. Mr. Narducci preferred a partial Certificate of Compliance.

Motion made by Mr. Travalini to issue partial Certificate of Compliance for 2 Fern Path (DEP # 216-826), seconded by Mr. McKay. Unanimous.

2. **4 Fern Path (DEP File # 216-825) – Certificate of Compliance Request- Present is Mr. Michael Narducci-** Mr. Narducci mentioned to the Commission that it has the same situation as the 2 Fern Path property. He said that his preference was to get a partial Certificate of Compliance. Ms. Barry said the grading needs to be completed within the 100 ft. buffer zone. Mr. Narducci said that grading in winter is not a good idea. She said that this site is not as established as 2 Fern Path.

Motion made by Mr. Travalini to issue partial Certificate of Compliance for 4 Fern Path (DEP # 216-825) as per the recommendation of Ms. Barry, seconded by Ms. Bosselman. Unanimous.

3. **Continued Notice of Intent – 10 Overlook Drive (DEP File # 216-831) -** Present is Mr. Bill Halsing from Land Planning, Inc. representing the property owner Andrea Cormier. Mr. Halsing said that the field data sheets were submitted to Ms. Barry. Cost Analysis was done comparing the installation of the sewer connection as designed versus going through Mr. Sloan's lot. He said the contractor was consulted to get reasonable numbers. The cost estimate for installation of the sewer pipe as designed is \$22,630 and adopting the alternative option involves wetland delineation. The construction cost for the alternative option goes up by additional \$6,000 to put a pump tank. Mr. Biocchi said that he did some research on the lot. The lot was deeded with the rest of the properties in the area and that it was a wetland at that time. Mr. Travalini stated that there is no evidence to prove that the lot is indeed a wetland and he reiterated that it is important for the Commission to see a previous order or minutes which says that the lot is a wetland. Mr. McKay asked what it means to test the age of the trees. Mr. Halsing said that the sub-division was approved in 1968. Ms. Barry reported that there is refusal of auger in the upland area at 14 inches. Mr. Travalini said that the permanent damage to wetlands is Minimum if the project is implemented. He said a requirement can be made by the Commission that at certain stages of trenching someone qualified should test the soil samples. Mr. McKay said that no blasting will be allowed without informing the board. Ms. Barry stated that currently DEP does not have any special comments about the project. Mr. Halsing reported that he had called DEP earlier to get their opinion about the project. Mr. McKay asked if the property owner or Mr. Halsing had a discussion with Mr. Sloan (abutter). For a question about easement, Mr. Travalini said that there is no easement on the property.

Present is Mr. Victor Sloan (Abutter) – Mr. Sloan said the area is definitely a wetland area and that's how he remembers from the topography maps of his deceased father. He asked the Commission if they had walked the property and Mr. McKay answered yes. He said that adopting his idea will help Mr. Cormier in selling a piece of property that should never be sold as wetlands. He said that the extra \$10,000 spent will be negligible when compared to what Mr. Cormier is getting out of this deal. Mr. Halsing asked Mr. Sloan if he is willing to pay the additional cost to hook the house to the new force main whose cost will be taken up by Mr. Cormier. Mr. Sloan said that what he is asking for is very small when compared to what he is offering. Mr. Biocchi said that the costs shown in the cost analysis sheet are soft costs only and the real cost of implementing this project will be much higher. He said that he will find out the real topography of the area and present it to the commission. Ms. Barry suggested an alternative option with two wetland crossings with boring underneath the

drainage tank. She asked if it was possible from engineering stand-point and Mr. Halsing said it could be done. He said boring can become a difficult task if they hit a big rock in the process. She said that the project cost might be more with this option but it will have less impact on the resource areas. She asked Mr. Halsing to submit data about the construction cost (not the engineering costs) involved and the disturbance that occurs with this approach. Mr. Halsing said that boring might be an issue because there are lot of rocks in the neighborhood. Mr. McKay suggested that the property owner should also work with Mr. Sloan (abutter) to come up with a compromise as well. Mr. McKay asked the commission if there was any plan to make a site visit and check the age of the trees. Ms. Barry said that she had seen the original sub-division plans for the area but has not seen any wetlands in them. Ms. Bosselman asked if the Commission could see the original topography maps for which Ms. Barry said that the past USGS maps could be looked into and that the soil boring data should have the details about all the layers of soil and their characteristics. The work on the property can be done in dry conditions. It will be supplemental information that will be requested from Mr. Halsing and the information from dry wells data should also be looked into. Mr. Halsing asked if he could get a written list of requirements from the Commission. Ms. Barry will email the list. Mr. Halsing and Mr. Sloan decided to talk after the meeting to come up with some workable alternatives. Mr. Halsing asked the Commission if all the requirements being requested by the Board will go away if Mr. Cornier made an agreement with Mr. Sloan. Mr. Travalini said that the Board would still want to see some mitigation measures taken for the roof run-off. Mr. Murphy asked about the Statute of Limitations on the property.

Motion made by Mr. Travalini to continue DEP # 216-831 to continue to the December 19th meeting, seconded by Mr. Murphy. Unanimous.

4. **Continued Abbreviated Notice of Resource Area Delineation- 102 Winthrop Street (DEP File # 216-821)**– Motion made by Mr. Travalini to continue the 102 Winthrop Street (DEP File # 216-xxx) continued to the December 19th , 2013 meeting, seconded by Mr. Murphy. Unanimous.
5. **Continued Notice of Intent- 257 Village Street (DEP File # 216-XXX)**– Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-xxx) continued to the December 19th, 2013 meeting, seconded by Mr. Murphy. Unanimous.
6. **RKG Associates- Land Use Boards & Commissions Organization Discussion- Present is Mr. Craig Seymour from RKG Associates-** Mr. Seymour said that the Town of Medway has hired RKG Associates to conduct an organizational and operational assessment of the Boards. The main intent is to understand the working of various boards in the town and see if there are any improvements that can be made. He said the goal was to get some sense individually and collectively on how the board works and how it works internally and with other activities in town. Mr. Seymour asked the following questions to the Commission:

- What are the primary responsibilities of conservation commission?
Mr. Travalini said enforcing the wetland protection act, the town by-laws, and regulations are the major responsibilities of the board. Mr. McKay said that the main agenda of the commission is to enforce the wetland protection act.
- What are the qualifications required for someone to become a member of the conservation commission?
Mr. Travalini said that there are not any particular requirements as such. He said the individual should be willing to put in his/her time, and learn about the wetland protection act which is not complicated. He talked about the Board's agent who does the initial work. He described the background of each member on the board and said having institutional knowledge of the town is an advantage. Mr. McKay said that the commission does not and cannot have a vision unlike other boards in town. He said that most of the board's work deals with evidence, wetland protection act, and rights of property owners. Mr. Travalini said that most of the other boards have discretion and they operate on precedent that they has been set. Conservation Commission is all about enforcing the law whereas the other boards in town enforce town by-laws. Mr. McKay said that the board members are the commissioners of the State of Massachusetts tasked with upholding the wetlands protection act, and the rights of the applicants under it.
- What are the preferred qualifications for an individual to become a member of the commission?
Keeping an open mind is important said Mr. McKay. A wetland Scientist might make a good candidate to be a member said Mr. Travalini. Ms. Barry said someone such as a wetland scientist, wetland consultant, and probably an attorney might be a good candidate for the commission.
- Is any training provided to the incoming candidates or would the members see a need to get some training, do some courses, or have someone come in to train the members in the subject?
Mr. Travalini said that he had taken classes on soils, de-lineation, and identification in the past. He had attended the annual Massachusetts Association of Conservation Commission (MACC) conferences. Ms. Barry said the updates of regulations and their interpretations are some important outcomes of the MACC conferences. She said the new MACC manual is available online. She will sign-up on behalf of the Commission so that all the members will have access to the manual. Mr. Travalini said that the town may pay for attending the conference.

- How does the process work or not work when a special permit or plan comes from the Planning Board?

Mr. Biocchi said that the Planning Board does a good job in deferring to a consultant or the town engineer when there is a need. Mr. Travalini said that the town has not had a subdivision in a while except for a couple of houses. He said that the Planning Board understands that they need to abide by the Wetlands Protection Act. Mr. McKay said that initially Planning Board would submit plans that were fancy but that issue has been fixed.

- What kind of applications does the Board find challenging?

Mr. Travalini quoted the example of 10 Overlook Drive application. Projects with plans to go through wetlands, applications with unhappy abutters can be challenging said Mr. Travalini. Mr. Murphy said that applicants who try to get away with the law in spite of knowing the protection act can pose a challenge. Ms. Barry said that she was asked about the Community Farm on Adams Street at one of the Board of Selectman's meeting. The town needs a permit to get the work done. Mr. Travalini said that a Request for Determination (RDA) will be needed if there are changing the use of it. He said that the rule is if they are paying it and getting money for it then its farming and if they decide to change the crop that should be fine; they do not need a permit. Mr. Murphy said that it's not always the priority of the other boards to keep up with the wetland protection act. Mr. Biocchi said that conservation commission is a well-equipped board with varying backgrounds of the members. Mr. Travalini said that the member recruiting process can be made better and the town should encourage the citizens to serve the community. He said the morale in some of the boards has not been high. It can be made better by for example having a year-end Christmas party with the Board of Selectmen present and thank all the members for their service and time on these boards.

- What is most challenging or problematic in the work that the members do?

Understanding the nuances of the law, remembering what to apply in certain situations can be a challenge said Mr. Travalini. Mr. Murphy said that Mr. Travalini is good at what he does as the Chairman of the Board. More legal support and knowledge will be helpful said Mr. McKay. Mr. Travalini said that the Board of Selectmen has been good in getting the town counsel's advice/help whenever the Conservation Commission asked.

- What can be done to make the members job easier, better and more efficient?

More staff to do the work that sometimes the members end up doing will be helpful said Ms. Barry. Based on the conservation commission act, the board is also responsible for open space protection, management and other things but the board does not have time to handle these tasks. Ms. Barry said that the complexity depends on the wants and needs of the town and the town manager. Mr. Travalini said that there is no unified plan and everything is done as a piece meal.

- What are the priorities of the Commission?

Mr. Travalini said that the commission never has or had one for which Mr. McKay said that the Commission cannot have one.

- Does the town have Joint Board meetings or all Boards meeting?

Mr. Travalini said that there was a proposal that floated around in the past. It did not take any form or shape. He said that some towns do have joint board meetings when there is a big project coming up.

Motion made by Mr. Murphy to adjourn the meeting, seconded by Mr. Biocchi. Unanimous.



MEDWAY CONSERVATION COMMISSION MEETING

**Sanford Hall, Town Hall
155 Village Street, Medway, MA 02053**

7:30 P.M.

Minutes

December 19th, 2013

The Medway Conservation Commission held its regularly scheduled meeting on December 19th, 2013 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Jen Bosselman, Conservation Commission Agent Patty Barry and Sreelatha Allam, Night Board Secretary

- Call to order
- Approval of Minutes- January 17th 2013, February 7th 2013, February 21st 2013, November 26th 2013.
Motion made by Mr. Travalini to approve the November 26th 2013 meeting minutes, seconded by Mr. McKay. Unanimous
- **January 17th 2013 minutes – tabled**
- **February 7th 2013 minutes – tabled**
- **February 21st 2013 minutes - tabled**
- **Discussion Items-**

1. Enforcements

Ms. Barry said that she spoke with the town counsel about the statute of limitations on the 10 Overlook Drive property. There is a two year statutory limit on the actual activity and action of putting the fill in. This means that there are two years to get the violators for the filling activity. There is no time limit to get the violators when the filling happened over the wetland which means that every day is a violation. Ms. Barry said that the burden of proof is on the commission. Mr. Travalini said that the commission should hire someone to do the test pits and gather evidence to prove the rest of it. Mr. Travalini suggested that Ms. Barry should take a look at the DEPs wetland change maps to get a better understanding.

Ms. Barry stated that there is some money available in the GIS program that's being awarded to the conservation commission. She asked if there is anything the commission wants to see incorporated in the GIS program that is not available currently. Moving forward Ms. Barry will scan all the order of conditions on properties since they are public records. Mr. McKay said that it is a good time to find out about filings that were never registered. Ms. Barry asked if the members would want her to record information to the database and the members concurred with the idea. Mr. Travalini asked Ms. Barry to find out about the town program where the seniors are allowed to work in the town hall to get some credit on their taxes. Ms. Barry said that the program is still active.

2. **Continued Notice of Intent – 10 Overlook Drive (DEP File # 216-831) - Motion made by Mr. Travalini to continue DEP # 216-831 to continue to the January 2nd 2014 meeting, seconded by Mr. McKay. Unanimous.**
3. **Continued Notice of Intent- 257 Village Street (DEP File # 216-XXX)–**
Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-xxx) continued to the January 2nd, 2014 meeting, seconded by Ms. Bosselman. Unanimous.
4. **Continued Abbreviated Notice of Resource Area Delineation- 102 Winthrop Street (DEP File # 216-821)– Motion made by Mr. Travalini to continue the 102 Winthrop Street (DEP File # 216-xxx) continued to the January 2nd , 2014 meeting, seconded by Mr. McKay. Unanimous.**

Motion made by Mr. Travalini to adjourn the meeting, seconded by Mr. Bosselman.
Unanimous.