



**Town of Medway
Conservation Commission Meeting**

MEETING MINUTES

January 16, 2014 at 7:30 p.m.
Sanford Hall – 155 Village Street, Medway Town Hall

Present:

Jennifer Bosselman
Dave Travalini
Tony Biocchi
Ken McKay
Patty Barry - Conservation Commission Agent

Also present:

Geoffrey Howie - Greenman-Pendersen, Inc.
Martha Nover
Henry Nover
Sean Boyd - Gale Associates
Tom Holden - Medway DPS
Glenn Trindade - Board of Selectman
Kathleen Hickey
Ashley McQuade - Recording Secretary

Mr. Travalini called the meeting to order at 7:35 p.m.

- I. Approval of minutes – **Ms. Bosselman motioned to accept the December 5, 2013 and December 19, 2013 meeting minutes, Mr. Travalini seconded, and the motion was unanimously approved.**
- II. **Discussion –**
 - a. Proposed DPS Route 109 Expansion Project – Holliston St to Milford St. – Mr. Holden gave an overview of the project in an attempt to determine wetland conservation on this project. Mr. Howie also discussed Mass DOT standards and reviewed the new traffic signals, including the new signal going in at corner of Winthrop and Evergreen, as well as one in front of the Medway Shopping Center (MSC). Street lighting and streetscape/landscaping have also been selected by the Rte. 109 Project Commission. A 75% design submission and a Notice of Intent are also being prepared for review by Mass. DOT. Mr. Travalini expressed that any landscaping near the Chicken Brook area should not be invasive that could potentially grow into the wetlands. Regarding drainage in that area, not much will change or need to be changed. With respect to storm water, by wetland regulations the maximum standards must be met and the drainage system that currently exists there will be replaced with new deep sunk catch basins. The

Commission also reviewed a copy of the assessors map regarding storm water drainage.

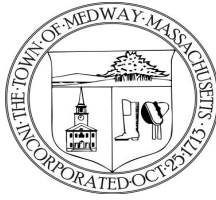
- b. Proposed DPS High School Field Development – 88 Summer Street – the first project out the master plan is construction of a brand new field on the property off Adams Street, as well as a walking trail from the high school to Chote Park that would tie in with the existing trail network. Mr. Boyd presented an overview of the high-school multi-purpose rectangular fields, as well as some wetland resource area that have been flagged on the property by David Gordon. The biggest challenge with these projects is the topography of the area, and the steep drop-off near the wetland resource area. By buying all the material at once for replacing turf on all fields, the Town can save roughly 20% of costs. Once a topographic survey is done, Mr. Boyd will be able to determine which structures (retaining walls, etc.) will benefit the area the most. In connection with a trail network, Ms. Barry has put in a \$5,000.00 request to the Conservation Commission for the hiring of a consultant for a preview of all the trails in town, and how to assess and connect them for usage. The Commission discussed at length the interest in developing trails and the need for land management/open space committee.
 - c. Enforcement – 2 Little Tree Road – Ms. Barry presented the issues of the pump failing on that street, and the homeowners diverting raw sewage directly into a water catch basin, which overflows into a retention pond. However, the town is unsure as to how much sewage was pumped out and for how long. After examining bylaws and regulations, the fine for this type of violation is only \$50.00, and the Commission is in agreement that costs of cleaning the area should be paid for by the homeowners beyond the fine. However, there is now a conflict with issuing an enforcement order since the basin is split between two properties. While the enforcement order can be imposed on all surrounding homeowners, the fine will only apply to the offending homeowner. **Mr. Travalini made a motion to issue (3) three enforcement owners (two for the property owners, and one for the offender) and that the offending homeowner be fined \$50.00 per the bylaw, Mr. Biocchi seconded, and the motion was approved. Mr. McKay opposed the motion.**
- III. Continued Notice of Intent – 58 Oakland Street (DEP File #216-833) - **Mr. Travalini motioned to continue this to the next meeting by the request of the applicant, Mr. Biocchi seconded, and the motion was unanimously approved.**
- IV. Continued Notice – 10 Overlook Drive (DEP # 216-831) - **Mr. Travalini motioned to continue this to the next meeting by the request of the applicant, Ms. Bosselman seconded, and the motion was unanimously approved.**
- V. Continued Abbreviated Notice of Resource Area Delineation – 102 Winthrop (DEP file # 216-821) - **Mr. Travalini motioned to continue this to the next meeting by**

request of the applicant, Mr. Biocchi seconded, and the motion was unanimously approved.

- VI. Continued Notice of Intent – 257 Village Street (DEP File #216-832) - There is a request for delineation of the area regarding wetland use, however there is a plan for review of the site next week. The Commission is in agreement over a soil assessment being performed. There is an enforcement order since the owner of the property did work within the boundaries of the wetland in opposition to bylaws. A continuance has been requested due to the new hire of the assessor. Ms. Barry also spoke with the owner regarding removal of the trenching machine that is currently in the wetland. Ms. Hickey expressed concern over the use of the property and conservation of the area. The planning permit has expired on this property and will need to be renewed. **Mr. Travalini motioned to continue discussion of this project until the next meeting on February 6, 2014, Mr. McKay seconded, and the motion was unanimously approved.**
- VII. Other Business Before the Commission – Mr. Travalini expressed interest in the entire Commission attending the MACC Conference at Holy Cross College, and there was a review of the brochure of offered seminars/speakers at the conference. Ms. Barry also presented the enforcement order on the 2 Little Tree Road to be signed by the Commission.

Mr. Travalini made a motion to adjourn at 9:27pm, Ms. Bosselman seconded, and the motion was unanimously approved.

Next scheduled meeting: February 6, 2014 at 7:30pm in Sanford Hall, Medway Town Hall 155 Village Street, Medway, MA



MEDWAY CONSERVATION COMMISSION MEETING

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

7:30 P.M.

Minutes

February 6th, 2014

The Medway Conservation Commission held its regularly scheduled meeting on February 6th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Jen Bosselman, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:38PM
- Approval of Minutes- January 16^h 2014 - tabled

- **Discussion Items-**

- 1. Proposed FY 2015 Warrant Article – Medway General Wetlands Protection Bylaw (Article XXI) Section 21.5 Fees Revision- Review and Approval – Mr. Travalini read the following:**
Section 21.5 fees – The commission should establish fees for applications and requests that an applicant shall pay for filing fee for Town of Medway specified in the rules and regulations of conservation commission in accordance with Section 2110 of this by-law. This fee is in addition to that required by the Mass Wetlands Protection Act MGL Chapter 131 section 40. The Commission may waive or reduce the filing fee, cost and expenses for an application or request filed by a government agency or otherwise as the Commission may determine by its regulations. Mr. Travalini explained that the current fee structure is deficient when compared to neighboring towns. He explained that the commission should amend the rules and regulations to have a new fee structure in the next meeting when article passes. Ms. Barry provided to the members a spreadsheet with the fees structure from neighboring communities. Mr. Travalini said that the notice of intents should be charged more. The current fee structure for Town of Medway did not change since 1996. He suggested that the commission could discuss about the fee structure once every 2 years.
Motion made by Mr. Travalini to submit the warrant article to the board of selectman for approval, seconded by Mr. Murphy. Unanimous.

2. MA Wetlands Protection Act Revolving Account Fund Use Vote & Approval to Increase

Conservation Agent Hours – Mr. Travalini mentioned that there are \$50,000 dollars in revolving funds (monies obtained through the collection of fees). It was suggested that the agent hours should be increased by 4-5 hours per week. Ms. Barry, the previous CONCOM agent had proposed to the town administrator, Ms. Suzanne Kennedy to use revolving funds to enforce the act. Money allotted could be used to pay for the agent, trainings, and buy augers etc. Ms. Barry thought that the Town of Medway needs a full time agent. Ms. Kennedy had mentioned that this money could be used to pay the agent for FY2014. Mr. Travalini said the amount in the revolving funds is enough to cover the agent cost for a period of five years. Mr. Murphy asked if it was an allowable use of the funds and Mr. Travalini said yes. He said that no town meeting votes was required as long as there is no violation in terms of what the money can be used for.

Motion made by Mr. Travalini to approve the use of wetlands funds and certify that at a meeting held on February 6th 2014, the commission voted to approve the allowable expenditure up to \$10,500 dollars of the Wetland Protection revolving account funds to increase the CONCOM agent hours from 20 to 25-30 hours per week for FY 2015, specifically from July 1st 2015 to June 30th 2016, seconded by Ms. Bosselman. Unanimous.

Mr. Travalini discussed about the commission having \$100,000 dollars in conservation funds. The last time it was spent years ago, a piece of land was bought. Ms. Barry had suggested that the commission pay for the services of someone to develop and do land management plan. Mr. Travalini said this money could be used for the development of trails. Mr. Murphy mentioned that there are trails being developed on the idle brook side of the town. He said the open space committee was proposing to have signage and kiosks in the trail networks. Mr. Travalini said that the commission is inclining towards spending the money on land management. He asked Mr. Murphy to find out from Ms. Kennedy about the trails that are being developed in and around the town of Medway.

3. 2, 4 & 6 Little Tree Enforcement Order – Dissolution Discussion

Ms. Barry issued an enforcement order on 2, 4, and 6 Little Tree Road properties. The residents of 2 Little Tree Road had problem with their septic which was backing up into their basement. They ran a pump out of the basement into a catch basin which empties into a detention pond which is on the 4 and 6 Little Tree Road property. Present is Ms. Donna Hainey the property owner of 6 little Tree to dissolve the enforcement order. Mr. Travalini explained that she was issued an enforcement order since part of the detention pond was on her property. Ms. Hainey asked as to who maintains the catch basin and Mr. Travalini replied that is the responsibility of the town to maintain it. He explained that detention ponds are also maintained by the town although they are owned privately. The detention pond in question is within 100 feet of wetlands but the impact of the fecal matter is minimal said Mr. Travalini. He felt that it is more of a nuisance and Board of Health issue than CONCOM issue. Mr. Travalini asked her if she was contacted by the Board of Health and she said no. He said that the owner of 2 Little Tree Road was issued the enforcement order and was fined. Board of Health might want the 2 Little Tree Road property owners to clean up the septic, basement and the pipe. Ms.

Hainey expressed that did not want to be responsible for someone else mistake. She said that the owner who has created this problem should be held accountable. Mr. Murphy suggested that she should contact a land use attorney and find out if she can file for a claim against the resident at 2 Little Tree. Mr. Travalini suggested that Ms. Hainey should call the Board of Health to find out about further action to be taken. He reassured her that the commission is not going to ask her to pay for anything in this matter. She asked as to who oversaw if the problem was corrected. Mr. Murphy suggested that she contact Stephanie Bacon, the Board of Health agent to understand the further course of action.

4. **Continued Notice of Intent – 58 Oakland Street (DEP File # 216-833) - Motion made by Mr. Travalini to continue DEP # 216-833 due to clerical miscommunication to the February 27th 2014 meeting, seconded by Mr. Murphy. Unanimous.**
5. **Continued Notice of Intent- 10 Overlook Drive (DEP File # 216-831) – Motion made by Mr. Travalini to continue the 10 Overlook Drive (DEP File # 216-831) continued to the February 27th, 2014 meeting, seconded by Ms. Bosselman. Unanimous.**
6. **Continued Abbreviated Notice of Resource Area Delineation- 102 Winthrop Street (DEP File # 216-821) – Request was made by the representative to continue the application to the March 6th CONCOM meeting. Motion made by Mr. Travalini to continue the 102 Winthrop Street (DEP File # 216-821) continued to the March 6th, 2014 meeting, seconded by Mr. Murphy. Unanimous.**
7. **Continued Notice of Intent- 257 Village Street (DEP File # 216-832) - Motion made by Mr. Travalini to continue the 257 Village Street continued to the February 27th, 2014 meeting, seconded by Ms. Bosselman. Unanimous.**

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



MEDWAY CONSERVATION COMMISSION MEETING

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

7:30 P.M.

Minutes

February 27th, 2014

The Medway Conservation Commission held its regularly scheduled meeting on February 27th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Jen Bosselman, Ken McKay, Interim Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:37PM
- Approval of Minutes- February 6, 2014 –
Motion made by Ms. Bosselman to approve the February 6th 2014 meeting minutes, seconded by Mr. Mr. Murphy. Abstention -Mr. McKay.
- Approval of Minutes- January 16, 2014 -
Motion made by Mr. Travalini to approve the January 16th 2014 meeting minutes, seconded by Mr. Mr. McKay. Abstentions- Ms. Bosselman and Mr. Murphy.

Request for Determination of Applicability

1. **Request for Determination- DEP # 131- # 133 Milford Street** – Present is Robert Alva on behalf of Dennis Murphy Insurance agency. Mr. Murphy is in the process of purchasing 133 Milford St which will be combined with the existing insurance agency. The existing conditions plan and the proposed site plan were presented to the commission for review. The proposal is to build ten parking spots and this proposal has been through the planning board and received site plan approval. It includes new landscaping and a new sidewalk that connects the two parking areas. The rear of the site is an existing wetland, and a portion of the work (construction of the drive way) and the proposed grading work ends up in the buffer zone. The area that will be disturbed within the buffer zone is currently lawn which was built and completed in 2009. Being a small site with relatively small room for at-grade basin, it is being proposed to build porous pavement. The plan was reviewed by the planning board consultant and complies with storm water management standards. The wetland delineation was performed by Mr. Alva's firm in the spring of 2013. The western boundary of the property is a stone wall. Ms. Graziano made a site visit but could not confirm the wetland line due to snow. She suggested options for erosion controls which include using straw bales and silt fencing. The snow storage area will be removed from the wetland buffer zone and native plantings will be provided for the native buffer zone. She requested a separate storm water maintenance plan since there will be maintenance associated with porous pavement. Mr. Travalini suggested there should be orange

construction fence on top of the silt fence for easy visibility. Mr. Alva confirmed that the planning board requires a porous pavement maintenance plan. As part of monitoring the maintenance plan, Mr. Travalini suggested a sign saying no snow removal should be installed. Mr. McKay suggested planting native species around the area.

Motion made by Mr. Travalini to issue negative request for determination with conditions, storm water maintenance plan to be submitted in a separate document to the commission, the semi-annual receipts for the vacuuming of the porous pavement be mailed to the commission, planting plan with native species for the corner (in the buffer zone) be provided, snow storage to be moved to the southeast corner, excavated material and machinery will be stored outside the buffer zone, silt fence should be covered by orange construction, seconded by Mr. Murphy. Unanimous.

2. **Notice of Intent – 58 Oakland Street (DEP File # 216-833)** – Present is Joyce Hastings from GLM Engineering representing Mr. Robert Callahan. Ms. Hastings came before the commission few months ago requesting the demolition of the existing dwelling at 58 Oakland Street. This 5 acre property is across the street from Medway cemetery. Ms. Hasting presented to the commission the existing conditions plan. There is wetland across the middle of the property. Proposal is to tear down the existing structure and build a duplex structure accessed by a driveway coming up to the middle of the lot with two parking lots on either side. Property will be served by two separate septic systems which are outside the 100ft buffer zone as is the driveway and half of the house. The activity within the 100ft buffer zone is the construction of the structure. Tires, chicken coops, and some old fencing are present in the buffer zone and they will be removed as part of the project. Two cesspools will be filled and abandoned and it will be done in compliance with the board of health procedures. Silt fence backed by straw bale will be used as an erosion control barrier around the limit before the construction starts. There will be no stock piling in the 100ft buffer zone. The stone walls associated with the house will be removed and anything that is disturbed will be seeded. Ms. Patty Barry, the previous conservation commission agent made a site visit to the property and wrote the order of conditions. A site visit was scheduled for March 8, 2014 at 8:00 A.M. Ms. Hastings said the next steps for the project will be to acquire board of health permits for septic system and a building permit. Ms. Graziano asked for the number of the AutoCAD on the square footage in the buffer zone area. The rear roof run-off will be collected into the dry walls on both sides of the structure. The entire backyard will be seeded with lawn mix.

Motion made by Mr. Travalini to continue DEP # 216-833 to the March 13, 2014 meeting, seconded by Ms. Bosselman. Unanimous.

3. **Continued Notice of Intent- 10 Overlook Drive (DEP File # 216-831)** – **Motion made by Mr. Travalini to continue the 10 Overlook Drive (DEP File # 216-831) continued to the March 27, 2014 meeting, seconded by Ms. 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 # 216-821) continued to the March 13, 2014 meeting, seconded by Ms. Bosselman. Unanimous.
5. **Continued Notice of Intent- 257 Village Street (DEP File # 216-832)** - Motion made by Mr. Travalini to continue the 257 Village Street continued to the March 27, 2014 meeting, seconded by Mr. Murphy. Unanimous.

Discussion Items:

1. **Jim Wickis Presentation on future projects at the Amphitheater – continued to March 13 , 2014 meeting**
2. **2, 4 & 6 Little Tree Enforcement Order – Dissolution Discussion**

Ms. Graziano requested the commission to give her some background about this discussion item. Mr. Travalini explained that the residents of 2 Little Tree Property pumped their septic waste to the catch basin that went into a detention pond on 4 and 6 Little Tree properties. An enforcement order was issued to all the three properties. The owner of 4 Little Tree property appeared before the commission in the earlier meeting to get clarification on the issue. Commission had asked her to communicate with the board of health and conveyed to her that she will not be fined since it is not her fault. A 21D ticket was issued by Ms. Barry and if the residents do not pay the fine then they will have to attend a court hearing. Ms. Graziano will check with the town clerk if the fine has been paid otherwise she will be issuing the ticket every 21 days until it gets paid. She will talk to the residents of 2 Little Tree and schedule a site visit.
3. **Schedule site visit for Wetlands Replication Area for Rt. 109 Project-** Ms. Graziano met with consultant Marty who was hired by the town of Medway to work on the project with Tom Holder. Both went over the area that the town is proposing to replicate for. The proposal also includes the removal of Japanese knotweed. Commission will schedule a site visit as soon as the weather becomes better
4. **Review Open Meeting Law –pertaining to site visits-** Ms. Graziano had a discussion with Mr. Travalini recently about scheduling site visits without posting or announcing it at a public meeting. Mr. Travalini said, the abutters are not allowed for site visits unless permitted by the property owner. The public meeting where the site visit will be scheduled should be on the agenda. Ms. Graziano presented to the commission, page 4 of the open meeting law. There are five exemptions to the definition. The first exemption said that the members of the board may conduct an on-site inspection; however they cannot deliberate as such. Before the notice of intent is scheduled, the conservation agent schedules a site visit with the commission members. A consultant is allowed to attend and the commission is not allowed to deliberate during that time. Project proposal can be presented; site walk can be made with some Q & A, but none of the commissioner's express their opinion. The consultant will appear before the board on the scheduled day and then the Commissioners can present their views about the project. Before NOI is scheduled, Ms. Graziano will schedule a site visit with the members before the item is presented in the meeting. She said this will allow for more efficiency eliminating the need for continuing the item to the next meeting. On

the question of forming sub-committee, conservation commission is not allowed to form a sub-committee since they do not have the authority.

At the February 6, 2014 meeting the conservation commission voted to change the language for wetlands by-law. Section 21.5 will be replaced with specific drafted language that will be approved by the town selectman. Any By-Law fee should go into the general fund. The fee given to the town by the state will go into the WPA filing fee fund under the Massachusetts general laws.

Motion made by Mr. Travalini to approve the language of the by-laws, seconded by Ms. Bosselman. Unanimous.

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

Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the February 27, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files.

Request for Determination of Applicability

1. Request for Determination- DEP # 131- # 133 Milford Street
 - Plan titled, Murphy Insurance Agency Modification of Approved Plan by David E. Ross Associates, dated August 2013
 - Agents Application Project Summary
 - Stormwater Analysis for Murphy Insurance Agency 131 & 133 Milford Street by David E. Ross Associates, dated October 2013

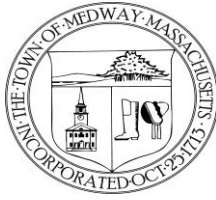
Public Hearings

Notice of Intent – 58 Oakland Street (DEP File # 216-833)

- Notice of Intent by GLM Engineering Consultants, Inc, dated January 2, 2014
- Plan titled, Proposed Sewage Disposal System 58 Oakland Street by GLM Engineering Consultants, Inc, dated November 20, 2014

Discussion Items:

1. **2, 4 & 6 Little Tree Enforcement Order – Dissolution Discussion**
 - None presented just discussed previous actions
2. **Review Open Meeting Law**
 - Open Meeting Law Guide, February 10, 2012



MEDWAY CONSERVATION COMMISSION MEETING

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

7:30 P.M.

Minutes

March 13th, 2014

The Medway Conservation Commission held its regularly scheduled meeting on March 13th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Tony Biocchi, Interim Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:36PM

Determinations of Applicability

- 1. 17 Delmar Road– Requesting to construct a detached garage and complete additional site work** – Present is Tracey Sharkey representing Guaranteed Builders and Developers. The project proposes to build a detached garage 76 ft. from the wetland area. Erosion control will be used as suggested by the commission at 60ft. from the wetland area. Pre-construction review was performed by Ms. Graziano, the conservation commission agent. Ms. Graziano reported that there is a slope towards the ponding area and the vegetation is consistent with hydric soils in that location and anything above that is lawn area. The excavator to dig for the foundation could go around on either side of the house. Ms. Graziano expressed concern about the topography in the area and the roof run-off from the garage. She suggested that the run-off should go into the gutters. Ms. Graziano asked if the commission required the home owners to do some mitigation buffer zone with some high bush blueberries or sweet pepper bush along the wetland area. Mr. Travalini suggested that 3-4 plants should be planted as mitigation to the buffer zone.
Motion made by Mr. Travalini to issue negative request for determination of applicability with conditions that erosion control is changed to straw bales and silt fencing, and that it should be extended on the northeast side, siltation barrier should be inspected by the conservation agent before the actual construction, seconded by Mr. McKay. Unanimous.
- 2. 40, 42, 44, 46 Adams Street – Request to change agricultural commodity qualifying under the Agricultural exemption** – Present is Ms. Brittney Sidway Overshiner, Executive Director, representing the Medway Community Farm. The proposed plan is to cultivate a portion of the hay fields at 40, 42, 44, and 46 Adams Street. Intention is to grow summer annual crops, traditionally

cultivate them particularly in this location because of its proximity to Medway High School. Ms. Overshiner said it could be a good volunteering opportunity and educational programming for the Medway high school students. At the Winthrop Street location there is a limitation to rotation of crops. Since an agricultural exemption is requested when there are wetlands or if the land is subject to flooding, the commission asked why a request is being made for agricultural exemption. Commission wanted to know if the planned work would affect the wetlands. According to the submitted plan, there will be farming done in the portion of the land that will be subjected to flooding. Mr. Biocchi said that the area is a flood zone and that there is some portion of wetlands that cut into the farm. Ms. Graziano confirmed to the commission that the request made by Ms. Overshiner falls under the category of agricultural exemption. Request for sales receipts from the farm owner could be one of the qualifiers. Aerial interpretation of the area showed that the farm is hayed or maintained fields. Commission is allowed to take the opinion of the citizens who have lived in the town of Medway or a considerable period of time to confirm that if the farm has been hayed. Commission can use their testimony as part of the agreement. Under the wetlands protection act there is no requirement that a certain amount of money has to be made on the land. It meets the requirements as long as the owner runs the business to make profit. Mr. Travalini said that haying the farm and selling the commodity to a friend does not qualify as running the farm for a profit. If the farm owner can show that the farm is being run as a business within the last five years then it counts for agricultural exemption. He said the regulation mandates that the farm should be run as a business to qualify for agricultural exemption. Ms. Overshiner worked with Karen Skinner Catrone, the previous CONCOM agent on this matter last summer. Ms. Catrone inspected the farm and made wetland lines. The commission or Ms. Graziano does not have any supporting documents. Mr. Travalini asked Ms. Overshiner to get some proof in the form of sales receipt confirming that the field was being run as a business in the last five years. Mr. Murphy said that if the town as an entity has proposed that the field has to be hayed, then the town is the business. Mr. Biocchi said that he could go on record to confirm that this field was a farm about ten years ago but he is not sure about its status in the last five years. Ms. Overshiner reiterated that their intention is not to cultivate in the wetland. Mr. Travalini suggested that the best course of action would be to do a site visit to determine if the field is qualified for agricultural exemption. The wetland line will be established during the site visit. Ms. Graziano said that portions of the farm might be in wetland and might be in flood zone.

Mr. Trindade representing the Board of Selectman expressed his support to the project and said that it is an outstanding opportunity to expand the use of the field. He said that he fully supports the project as long as it follows the guidelines of the wetlands protection act.

Motion made by Mr. Travalini to continue to the March 27th 2014 meeting, seconded by Mr. Biocchi. Unanimous.

1. **Continued Notice of Intent- 58 Oakland Street (DEP File # 216-833)** – Present is Ms. Joyce Hastings from GLM Engineering, representing the property owner Mr. Robert Callahan. Mr. Callahan's proposal is to build a two-family dwelling. Ms. Hastings explained to the commission the amount and nature of work done on the property. Ms. Hastings said the clearing area is 9000 Sq. ft. in the buffer zone and that the grading will not be changed. Lawn will be from the rear of the house to forward. Bounds and roof drains have been added and split rail fence was put to act as a visible barrier to the buffer zone.
Motion made by Mr. Travalini to issue an order of conditions for DEP # 216-833 as per plans with two changes on the plan being that the proposed fence be moved up to the limit of work and that the hay bales on the plans be changed to straw bales, seconded by Ms. Murphy. Mr. Biocchi abstained.
2. **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 # 216-821) continued to the March 27th, 2014 meeting, seconded by Ms. Biocchi. Unanimous.
3. **Abbreviated Notice of Resource Area Delineation - 123 Main Street (DEP File # 216-833)** – Present is Ms. Brooke Monroe representing the applicants Thomas and Elizabeth Steeves. The applicant is requesting confirmation of Resource Area Delineation. There is 1600 Sq. ft. of linear wetland. The commission would be asking for a peer review under 53G regulations. A site visit was made in 2004 and a wetland determination was made at that time. Mr. Travalini said having a peer review will be a good option followed by the commissions site visit to make a determination. Ms. Graziano agreed to accompany the peer reviewer if time permits. She asked the commission if they required to have three quotes presented to select a peer reviewer or if they used an approved peer reviewer on a regular basis. Commission said that they do not do three quotes but they have to approve the reviewer. Mr. Travalini said that the commission had used Mr. Allan in the past. He said there are few reviewers that they wouldn't approve otherwise the commission will consider other reviewers.
Motion made by Mr. Travalini to continue the 123 Main Street continued to the April 10th, 2014 meeting, seconded by Mr. Murphy. Unanimous.

Discussion Items:

1. **Jim Wickis Presentation on future projects at the Amphitheater – continued to March 13th meeting**
Present is Mr. Wickis, representing the open space committee. Project goal is to give handicap access down to the river and build a canoe/kayak launch. Mr. Wickis submitted a memo to the commission describing the project. The construction area for the project will involve wetland area. With the wheel chair access, a path will be put around the parking lot down to the river. To support the wheel chairs material will be compacted. The river bank is crossed by a drainage ditch that is

easy for a pedestrian to cross but too steep for wheel chairs. The project proponents suggest building an 8-12 in diameter pipe culvert. It will be covered with crushed stone to attain a flat and stable surface for wheel chairs to use. There is no flow in the ditch for most part of the year. For the canoe launch, there is an open spot along the river bank, with railroad ties serving as steps, down to the river's edge. This spot was used as a canoe launch earlier. Currently the steps are considered unsafe. As a possible solution, the steps will be rebuilt with landscape timbers and gravel fills. Commission member, Mr. Murphy said that the open space committee would like to have a letter from conservation commission supporting the Amphitheater project. Mr. Travalini said that the construction impact to the river front will be minimal compared to getting people onto the river front. He expressed the commission's support for the project. For a question about the funding source for the project, Mr. Wickis said as a next step the open space committee will have the Norfolk county engineers assess the cost. The committee will approach CPC for get their support which will be followed by a town meeting vote. Mr. Travalini said that a letter should be drafted asking the commission's approval to move forward with the project. He said that the commission does not object to either of the two projects and the members will sign the document. Ms. Graziano suggested few alternatives to get funding for the project. The committee could apply for the storm water grant called the 319 Grant through Environmental Protection Agency (EPA). This grant could be used to build trails, boat ramps. Geo web could be used for handicap accessibility. There are different types of boat ramps or kayak ramps that are better for run-off. Ms. Graziano said that the Norfolk county engineers have lot of experience in projects such as these and with the storm water grants. Mr. McKay said that the town of Medway in the past received a grant from the state for a canoe launch that possibly never got used. Mr. Wickis and Ms. Graziano decided to meet/communicate later on to further discuss funding options for the project.

2. Review Open Meeting Law –pertaining to site visits-

Ms. Graziano said that she will schedule site visits once the notice of intents come in. She will approach the commission to request for an additional site visit if there is a request made by the applicant. Mr. Travalini said the commission is not bound by the open meeting laws to schedule site visits in an open meeting. It doesn't have to be on the agenda of the meeting. He said it's up to the commission's discretion to decide the procedure for scheduling site visits. Mr. McKay said that it is a good practice for someone who intends to schedule a site visit to attend the concom meeting in person and schedule the visit. Ms. Graziano will send an email to the members of the commission when she schedules a site visit.

3. 2, 4 & 6 Little Tree Enforcement Order – Dissolution Discussion

Patty Barry, the earlier CONCOM agent, issued a 21D ticket for violation for 2, 4, and 6 Little Tree Rd. properties. Ms. Graziano found out that the ticket was not paid and no hearing has been scheduled. She said the commission could file criminal charges against the property owners. She asked if the commission should be issuing the ticket every 21 days since the owners did not pay the fine and have not scheduled a hearing. Ms. Graziano said she does not have any contact information since the properties are rented. Mr. Travalini said the Board of Health should be contacted about the situation. Since the notices were being sent to the renters but not to the owners, Mr. Biocchi said that should be it should be sent both to the renters and the owners of the property. To follow the procedure, the ticket and notices should be issued every 21 days. It's been decided that Ms. Graziano will be sending the ticket every 21 days until the issue is resolved.

4. GIS information for website-

Ms. Patty Barry, the earlier conservation commission agent worked on getting the data from Mass GIS uploaded to the people GIS. Ms. Graziano is currently working with People GIS to get more data uploaded so that the commission will have more accessibility to look at that data.

Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the March 13, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files.

Determinations of Applicability

1. 17 Delmar Road– Requesting to construct a detached garage and complete additional site work

- Plan titled, Plot Plan Showing Proposed 24' x 28' Detached Garage by Hawk Consulting, dated February 8, 2014
- Agent Application Project Summary

2. 40, 42, 44, 46 Adams Street – Request to change agricultural commodity qualifying under the Agricultural exemption

- Farming In Wetland Resource Areas, A guide to Agriculture and the Wetlands Protection Act dated January 1996
- Agents Application Project Summary
- WPA Form 1 for 40-46 Adams Street
- People GIS Plan of Map 29 Lot 7-10

Public Hearings

Continued Notice of Intent- 58 Oakland Street (DEP File # 216-833) –

- Notice of Intent by GLM Engineering Consultants, Inc, dated January 2, 2014
- Plan titled, Proposed Sewage Disposal System 58 Oakland Street by GLM Engineering Consultants, Inc, dated November 20, 2014

Abbreviated Notice of Resource Area Delineation - 123 Main Street (DEP File # 216-833) –

Discussion Items:

1. Jim Wickis Presentation on future projects at the Amphitheater – continued to March 13, 2014 meeting

- Document titled, Goals to Address the Amphitheater developed by the Open Space Committee 2014

2. Review Open Meeting Law –

- Open Meeting Law Guide, February 10, 2014



MEDWAY CONSERVATION COMMISSION MEETING

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

7:30 P.M.

Minutes

March 27th, 2014

The Medway Conservation Commission held its regularly scheduled meeting on March 27th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Ken McKay, Interim Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:40PM

Request for Determinations of Applicability

1. 40, 42, 44, 46 Adams Street – Proposal to qualify change in agricultural commodity under the agricultural exemption 310 CMR 10.04 –

Motion made by Mr. Travalini to continue to the April 10th 2014 meeting, seconded by Mr. Murphy. Unanimous.

Public Hearings

1. Continued Notice of Intent- 10 Overlook Drive (DEP File # 216-831) –

Motion made by Mr. Travalini to continue the 10 Overlook Drive (DEP # 216-831) to the April 24th meeting, seconded by Mr. Murphy. Unanimous

2. 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 # 216-821) continued to the April 10th, 2014 meeting, seconded by Ms. Murphy. Unanimous.

3. Continued Notice of Intent - 257 Village Street (DEP File # 216-832) –

Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-832) to the May 8th, 2014 meeting, seconded by Mr. Murphy. Unanimous.

4. Millstone Village (formally Daniels Village) Off Winthrop Street (DEP File # 216-735) – Present is Mr. Robert Truax from GLM Engineering. Mr. Truax presented the plans to the commission. This area went through the planning board process and determination of wetland lines in 2007. There was order of

conditions issued in March 2007 which expired in March 2010. It was extended for four years under the permit extension act which will expire in March 2014. An extension of the current order is being requested. Other than constructing a community building with 80 units, there is no change in the project from the Daniels Village portion of the site. The community building is outside the 100 ft. buffer and the project was initially flagged in 2006 and re-flagged in fall of 2013. Ms. Graziano suggested that the original order of conditions should be recorded since they were not recorded earlier. The requested extension of the order of conditions will be recorded separately. Mr. Truax enquired if the applicant's name could be changed on the extension. The changed applicant's name is Elite Home Builders, but the owner's name remaining the same, Ms. Betty McKolsky. Mr. Truax agreed to use the more restrictive wetland delineation line whether it was the new or old delineation to the revised plan to be submitted. **Motion made by Mr. Travalini to issue a one year extension to (DEP File # 216-735), seconded by Mr. Murphy. Unanimous.**

Discussion Items:

1. **Update on Site Walk at Amphitheater** – Ms. Graziano made a site walk with Mr. Wickis and reported that the proposed area for improvements seemed reasonable and that building a bridge over the open ditch will be a better approach. She said it could be a small Eagle Scout project. She is working with Mr. Wickis to help him out with filing for the grants for the project and also with the ADA compliant requirements for handicap accessibility.
2. **Schedule site visits for open projects-**
Ms. Graziano enquired if the commission would like to schedule a site walk for the 10 Overlook Drive, or the 102 Winthrop Street properties. Mr. Travalini said that the 10 Overlook Drive property was inspected by Mr. Biocchi, Mr. McKay, and him. Mr. McKay said that a site visit will be scheduled again once the property owners finalize the plan. The site visit for 102 Winthrop Street should be scheduled to approve the wetland line. It's been decided that the site walks will be scheduled once the projects come in front of the commission.
3. **Plans for Conservation Trust Fund-** Medway town administrator, Ms. Susan Kennedy requested Ms. Graziano to ask the conservation commission about using the conservation trust fund for land management plan for the conservation lands. There is 100,000 dollars available in the fund. Mr. McKay enquired if the monies will fund the consultant hired to do the work or if it will pay the interim agent for doing the work. Ms. Graziano said that the town has the discretion to select a consultant. Since the anticipated cost might be more than \$5000 dollars, she suggested going with the RFP process. She also suggested that this work could be accomplished in collaboration with the students at the Conway Graduate School in northern Massachusetts. These students have experience working on such projects and it is possible that they might come up with plans for \$6,500 dollars. The CONCOM commission expressed their willingness to have Ms. Graziano work on this project. She said, due to the conflict of interest law, the conservation staff cannot be paid from the conservation fund. Since there is no urgency to make a decision on this matter right away it's been decided that it will be re-visited some time later this year.
4. **Approval of Grant for ArcGIS-**

Ms. Graziano requested the commission to approve and sign the application to request for a grant for ArcGIS for \$400 dollars. If the grant is approved, then the money for the grant will come out of the conservation trust fund.

5. **Wetland Delineation Review for Medway Recreational Fields-** RDA was submitted on 03-27-2014. The recreational fields have been moved outside the commission's jurisdiction but there is a small trail that is within the 25ft. no-touch zone. Ms. Graziano will make a site visit and provide a recommendation at the April 10th conservation commission meeting.
6. In a meeting with Mr. Travalini, the Board of Selectman requested an explanation of the by-law change. Mr. Travalini said that the board was in favor of the change.
7. Mr. Travalini will talk to the Boys Scouts to request for some volunteers for the Medway Clean Suite project.

A motion was made by Mr. Travalini to adjourn the meeting after the commission comes out of the Executive Session. On roll call, the vote was as follows:

VOTED: Glenn Murphy	Yes
Ken McKay	Yes
Chairman David Travalini	Yes

Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the March 27, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files.

Discussions

1. Millstone Village (formally Daniels Village) Off Winthrop Street (DEP File # 216-735) – Site Plan
 - Plans titled, Adult Retirement Community Planned Unit Development “ Millstone Village”, dated October 15, 2013
 - Order of Conditions DEP #283-735 issued by the Medway Conservation Commission on March 20007
2. Approval of Grant for Arc GIS
 - MACMAPP Grant Application



MEDWAY CONSERVATION COMMISSION MEETING

**Sanford Hall, Town Hall
155 Village Street, Medway, MA 02053
7:30 P.M.
Minutes
April 10th, 2014**

The Medway Conservation Commission held its regularly scheduled meeting on April 10th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Jen Bosselman, Interim Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:37P.M.
- Mr. Biocchi joined the meeting around 7:53 P.M.

Determinations of Applicability:

- **88 Summer Street – Proposal or High School recreational fields and walking trail**– Present is Mr. Tom Holder from Department of Public Works, Medway, and Sean Boyd, from Gale Associates, Dave Gordon from Peer Consultants. This proposal was brought before the CONCOM commission for discussion, to outline and get direction on the project, and address any concerns of the CONCOM commission. An aerial image of the Medway High School was presented to the commission. The areas of focus for the proposed project (sitting on top of a plateau) are at the existing softball and multi-purpose rectangular fields and the area of undeveloped land to the north. A multi-use trail will be located that follows parallel with the athletic campus and ties into the existing trail. There is a significant grade change between the wetlands, and where the buffers are located to where the proposed project is located. A series of borings have been made within the limits of the proposed project to test the soils. Significant bed rock has been found roughly 3ft – 10ft. in depth below ground elevation. The area south of the proposed project is the existing softball field. Borings were made in this area and it showed ledge elevation at a depth of about 6 – 8ft. There is an isolated wetland located further to the south with a larger wetland that connects to the east. The closest aspect of the project is the multi-use trail which is outside the 100 ft. buffer. Since the proposed project is on top of the plateau there is re-grading around the existing field. The entire project to the north is outside the 100ft. buffer. The current softball field to the south is located within the same footprint. The in-field is being shifted to the corner. A gazebo and walking path with ADA access will be provided from the proposed parking lot. A portion of the field at the southern end is located within the 100 ft. buffer. There is a retaining wall associated with the field along the eastern curb line in order to slope the field at a ½ % slope typical for a synthetic turf field. A portion of the trail goes within the 25ft. buffer associated with the southern wetlands. Mr. Travalini said that any place where the trail will be located within the 25ft. buffer, the commission members, or the interim agent will help them locate the field. Mr. Travalini said that the standard operating procedures such as stock piling locations, erosion controls, need to be updated. He expressed that the Tetra Tech summary of the

storm water grades mentioned some concern about water on one side of the project, both in the existing conditions and in the future. Ms. Graziano said that there is a washout on one of the trails along the existing baseball fields and that the water is reaching the wetland area with high velocity. Mr. Boyd said that synthetic turf fields drain vertically and said any water that hits synthetic turf fields will drain into stone base. There is approximately 10 inches of stone beneath the synthetic turf carpet and the storm water run-off is stored within that base. Mr. Travalini asked if Gale Associates had addressed Tetra Tech's comments on storm water grades. Mr. Boyd said that all comments will be re-submitted at the first planning board meeting to be held on April 8th, 2014. Gale Associates will be meeting again on April 29th, 2014 with the Planning Board, and Tetra Tech to review the comments. The revised plans will be submitted to the planning board for Tetra Tech to review. Ms. Graziano enquired about the specifications for the trail. Mr. Boyd explained that the proposal is to remove the top soil and bring the stone dust trail to match with the existing trail. It's a 6-7 ft. (approximately) wide stone dust path that meets up with the existing trail. Ms. Graziano asked if it was possible to use different types of material in sensitive areas. Mr. Travalini suggested crusher run gravel should be used; it compacts really well and does not move. Mr. McKay enquired if there will be any signage provided in the wetland resource areas. Under existing conditions there are erosion issues and wetland violations, Ms. Graziano asked as to who will take care of those issues. She said until any construction activity starts, straw bales and silt fencing should be installed in the area so that the water flow will not bring the stone dust to the wetland area. She said if the fields are vacuumed out on a regular basis, the whole storm water system will become non-functional. They should be groomed for sediment and this is a requirement of the planning board as part of the storm water management plan. Rob Pearl, Athletic Director at Medway High School asked if he could receive a list of requirements that need to be accomplished. Ms. Graziano said that the wetland line was not accurately de-lineated as required in the application. She said that the commission can choose to say that they are not going to confirm the line but will still have to approve the project. Mr. Biocchi said that it not critical to worry about the lines. The re-submitted plans to the planning board should include the crusher run in the trail, detail on the erosion control, silt fencing, orange snow fencing in the new field to mark off the 100 ft. line, straw bales and silt fence in the jurisdictional areas. There was some discussion about issuing the order as a non-punitive enforcement order versus conditional enforcement order. CONCOM members decided on issuing a conditional order.

Motion made by Mr. Travalini to issue negative request for determination with 4 conditions that should be satisfied prior to issuing the determination, the conditions being; all the general storm water concerns are addressed to Tetra Tech's satisfaction, general storm water(tetra tech) walking trail on the southern end of the project is cited by a member of CONCOM or by the conservation agent along with the applicant, the erosion controls in the soft ball field be installed now to prevent further impact to the wetlands, when construction starts the current wetland violations should be cleaned by hand according to current laws, pending the receipt of the plan, seconded by Mr. McKay. Unanimous.

A motion was made by Mr. Travalini to come back to the meeting after the commission comes out of the Executive Session. On roll call, the vote was as follows:

VOTED: Ken McKay	Yes
Tony Biocchi	Yes
Jen Bosselman	Yes
Chairman David Travalini	Yes

40, 42, 44, 46 Adams Street – Continued Proposal to qualify change in agricultural commodity under the agricultural exemption 310 CMR 10.04 – Present is Mr. George Roland. Mr. Roland enquired when the CONCOM members would be visiting the site as decided in the earlier meeting. Mr. Travalini explained that he made a site visit on March 26, 2014. He said for the most part it was obvious where the wetlands were. However, there are two wetlands on the site, one of which is significant, that are not shown in the map submitted to the commission. The other one is an isolated wetland further east along Adams Street. Mr. Roland asked how the location of the wetlands would ascertain what needs to be done to obtain farmable land. Mr. Travalini said that the next step would be to make a site visit and place some stakes in the ground to know more. He also said that he does not think that this land qualifies as an agricultural exemption according to some relevant material he read. It does not mean that it cannot be used as an agricultural land, but that they cannot go into the wetlands and disturb them. There might be some gaps in the allowed agricultural land. Mr. Diebus suggested that the CONCOM members should visit the site as soon as possible to make a determination. Mr. Travalini asked if organic manures are used as fertilizers and asked when they are usually spread. He said that they cannot be spread in winter to protect the wetlands. A site walk has been scheduled for April 12th 2014 at 2:00 P.M.

Motion made by Mr. Travalini to continue to the April 24th 2014 meeting, seconded by Mr. Biocchi. Unanimous.

Request to Amend Order of Conditions (216-825) – 4 Fern Path-

Motion made by Mr. Travalini to continue the amendment of order of condition for 4 Fern Path(DEP # 216-825) to the April 24th meeting, seconded by Mr. Biocchi. Unanimous

Continued Abbreviated Notice of Resource Area Delineation- 123 Main Street (DEP File # 216-XXX)

Motion made by Mr. Travalini to continue the 123 Main Street (DEP File # 216-XX) to the April 24th, 2014 meeting, seconded by Ms. Biocchi. Unanimous.

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 # 216-821) to the April 24th, 2014 meeting, seconded by Mr. Biocchi. Unanimous.**

Approval of minutes- February 27, 2014, March 13, 2014, and March 27, 2014 –

March 27, 2014 minutes- Mr. Travalini made an amendment to the minutes for the Millstone Village off Winthrop Street (DEP # 216-735). The minutes should include, upon re-submission of the revised plans, Mr. Truax agreed to include more restrictive wetland line whether it's the old or the new line. This line will be added at the very end of the topic in the meeting minutes from March 27, 2014. **Motion made by Mr. Travalini to accept the March 27, 2014 meeting minutes with the aforementioned amendment, seconded by Mr. Biocchi. Unanimous.**

Motion made by Mr. Travalini to accept, but not accept for release the executive session minutes of March 27, 2014, seconded by Mr. Biocchi. Unanimous.

Motion made by Mr. Travalini to accept, but not accept for release the executive session minutes of the March 13, 2014 meeting, seconded by Mr. Biocchi. Ms. Bosselman abstained. Unanimous.

Motion made by Mr. Travalini to accept the March 13, 2014 meeting minutes, seconded by Mr. Biocchi. Unanimous.

Motion made by Mr. Travalini to accept the February 27, 2014 minutes, seconded by Mr. Biocchi. Unanimous.

Discussion Items:

1. FY14 Budget – continued to the April 24th meeting
2. Schedule Site Visit for projects – For the Medway athletic commission project, a site walk will be made by the commission on April 12th in the afternoon. Ms. Graziano will visit the 4 fern path property. Ms. Graziano and the building inspector met with the property owner and the building inspector agreed to issue a partial C.O. until the commission is satisfied.
3. Vote to accept and sign the conservation restriction for Williamsburg Condominium- Mr. Travalini will read the document before it could be voted. Continued to the April 24, 2014 meeting.
4. Schedule a meeting with DEP Circuit Rider to review Regulation Reforms- Ms. Graziano said that commission was working under Pam Marrell as the circuit rider because nobody else has been assigned to the region. Ms. Marrell is making a presentation about the new wetland regulation reforms. Commission will have to schedule a day and time with the Sherborn CONCOM commission so that Ms. Marrell can make the presentation together. Scheduled for May 15th or first week of June, 2014.
5. Route 109 – Mr. Travalini talked about the commission making a visit to look at the proposed replication area. He said it does not have to happen immediately, but should be scheduled after Ms. Graziano accepts the position with the CONCOM commission full time.

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

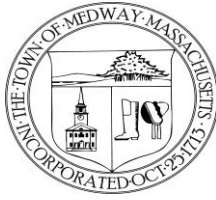
Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the March 13, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files.

- Millstone Village (formally Daniels Village) Off Winthrop Street (DEP File # 216-735) – Site Plan



MEDWAY CONSERVATION COMMISSION MEETING

**Sanford Hall, Town Hall
155 Village Street, Medway, MA 02053
7:30 P.M.
Minutes
May 8th, 2014**

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on May 8th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Jen Bosselman, Interim Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:33P.M.
- Meeting Minutes – 04/10/14 - **Motion made by Mr. Travalini to approve the April 10, 2014 meeting minutes, seconded by Mr. McKay. Unanimous.**
- Executive Meeting Minutes – 04/10/2014- **Motion made by Mr. Travalini to approve the April 10, 2014 executive session meeting minutes, seconded by Ms. Bosselman. Unanimous.**

Determinations of Applicability:

- **40, 42, 44, 46 Adams Street – Continued Proposal to qualify change in agricultural commodity under the agricultural exemption 310 CMR 10.04** – Present is Mr. Kevin Overshiner. Mr. Travalini, Mr. Biocchi, and Ms. Bosselman made the site visit. The area was walked over and stakes were put in the ground to delineate the edge of the wetlands. Mr. Overshiner said that the Google Earth map presented indicated the wetland delineations as marked by the commission. Mr. Travalini enquired about the land that will not be cultivated and planted. He asked if that portion of the land will still be mowed. Mr. Overshiner said the edges will be mowed or hayed once the area is dry. The stakes will be taken out after that. **Motion made by Mr. Travalini to issue a negative determination of applicability for 40, 42, 44, 46 Adams Street as per plans, with two conditions to remain; areas that are currently mowed will continue to be mowed, and the areas designated as Field1 and Field2 on the map will not be expanded, seconded by Mr. McKay. Unanimous.**
- **7 Wards Lane– Proposed deck with helical footings-** Present is Mr. Paul DeSimone, Colonial Engineering, and the applicant Mr. Stephen Nasca. The proposed project includes the removal of the existing deck and construction of a deck within 75' of the wetlands. In the plan presented to the commission, the red portion describes the proposed deck. The house and the septic were built in 1993. Ms. Graziano asked if the helical footings would be put in the ground with hand held equipment. She asked why the erosion controls were proposed. Mr. DeSimone replied that they will be put to carry the lumber in. Since there are no concrete footings involved in the project, it's been decided that the last sentence of the first condition (the footings of

the deck shall be done by hand and concrete shall be hand mixed outside the 100' buffer zone) should be removed.

Motion made by Mr. Travalini to issue a negative determination of applicability for 7 Wards Lane with two conditions listed in the letter drafted by Ms. Graziano, and removing the reference of concrete in the first condition, seconded by Mr. McKay. Unanimous.

- **153 Loverings Street** – Present is Robert Truax from GLM Engineering. This property is located on the northern side of Lovering Street across from the intersection of the Musquit Road. Proposed Sewage Disposal System plan was presented to the commission. There are two existing cesspools in the backyard of the property. The proposed project will upgrade the system to install a new septic tank and leaching trenches on the southern side of the house. The leaching trenches will be put within the 100' buffer zone. Access to the project is from the existing driveway. Hay bales and siltation barriers are being proposed along the back of the site. The 30' Maple tree will remain and no trees will be cut to put the system in. All work is located within the existing the lawn and no work will be done within the 50' buffer.

Motion made by Mr. Travalini to issue a negative determinations of applicability for 153 Loverings Street with conditions as stated in the May 13, 2014 letter, seconded by Ms. Bosselman. Unanimous.

Public Hearings:

Continued Notice of Intent – 10 Overlook Drive (DEP File # 216-831) – Present is Mr. Bill Hansing. The proposed project is to construct a single family home with associated utilities, grading, and landscaping. Some wetlands will be delineated and 180 Sq. Ft. of the resource area will be temporarily disturbed. Most of the tree damage will be avoided and only one tree will be removed as part of the project. Mr. Travalini asked about the dewatering plan. Ms. Graziano said that there is enough water in the property that it needs to be pumped from one side to the other. Mr. Hansing said the summer season is long enough to finish the project in time. It's been decided that the sewer line will be dug during dry season. Ms. Graziano said that the erosion controls should be put up to the end of the buffer zone and compost sock should be used in sensitive areas. She requested a copy of the recording for the property. Filter fabric should be added to the catch basins on Overlook, and the drainage ditch should be changed to intermittent stream. Stock piling locations should be noted on the plan. Mr. Travalini reiterated that the work should be completed in a day in the buffer zone so that the uprooted shrubs can be planted back. He said the wetland crossing sequence should be in place, the upper soil layer should be replaced, and any leftover excavated material should be removed from the site. Pump chamber infiltration basin should be silt fence and straw bales. Mr. Travalini reiterated that all the mitigation measures should be added to the plan as well.

Motion made by Mr. Travalini to issue an order of conditions for 10 Overlook Drive (DEP File # 216-831) as per plans with the additions discussed above. The set of amended plans should be submitted before the start of the construction, seconded by Mr. McKay. Unanimous.

Continued Abbreviated Notice of Resource Area Delineation - 123 Main Street (DEP File # 216-833) –

Present is Ms. Brook Roland and Mr. Arthur Allen, Eco Tec, Inc. Delineation on the site has been done and inspected by Mr. Allen. The peer review report was submitted to the commission. The field review was made on April 10, 2014 and the results are presented in a memorandum to the commission. Upland areas located to the east of the wetland flag line “C” (as indicated in the plan) were not delineated. The land area to the east of the wetland “C” flag (as indicated in the plan) line is considered to be wetland. Mr. Travalini said that the submitted letter and the map will be considered as the delineation.

Motion made by Mr. Travalini to accept the delineation, the plan and the letter for the 123 Main Street (DEP File # 216-833), seconded by Ms. Bosselman. Unanimous.

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 # 216-821) to the May 22, 2014 meeting, seconded by Ms. Bosselman. Unanimous.

Continued Notice of Intent – 257 Village Street (DEP File # 216-832) – Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-832) to the May 22, 2014 meeting, seconded by Ms. Bosselman. Unanimous

Request to Amend Order of Conditions (DEP File # 216-825) – 4 Fern Path Ms. Graziano mentioned that there is no response from the parties involved. There is no evidence that work has been done as requested by the commission. Ms. Bosselman suggested that a certified letter be sent to the residents to inform that they should appear before the CONCOM at the May 22, 2014 meeting.

Motion made by Mr. Travalini to continue the amendment of order of condition for 4 Fern Path (DEP # 216-825) to the May 22, meeting, seconded by Ms. Bosselman. Unanimous

Notice of Intent – 140 Main Street (DEP File # 216-835) – The proposed project is the construction of a new single family home, garage, associated utilities including sewer and water, grading and landscaping within the 100 ft. buffer zone to BVW and inland bank. Present is Paul DeSimone and the applicant Mr. Greg Coras. Areas of delineation are represented on the map submitted to the commission. Ms. Graziano and Mr. DeSimone walked the site. There is a sewer stub at the road. Shoe business was run on the property back in the 1920s. Few trees will be removed and erosion controls will be put in place as part of the project. A 12”, 5”, 20” maple trees and an 8” maple tree within the 25 ft. buffer will be removed. Some bitter sweet vines will be removed. These are all dead and fallen down trees. No machines will be brought in, everything will be hand cut. Additional material will be taken off site. Mr. Travalini said that cutting the bitter sweet vines might not be a permanent solution since the root system is still there. He suggested that the stem should be painted with pesticide.

Motion made by Mr. Travalini to issue order of conditions (DEP File # 216-835) as per Ms. Graziano’s write up with additional conditions to have granite bounds on flags 7, 3, and 8, cleanup of

the 25 ft. buffer by raking, seeding will be spread, only organics will be used as fertilizer, pesticide, and herbicide control, seconded by Mr. McKay. Unanimous

Notice of Intent – 157 Main Street (DEP File # 216-xxx) – The proposed project is the construction of an addition to an existing day care within an existing house within the 100 ft. buffer zone to BVW and Inland Bank. Present is Ms. Lauren Nigro, and the applicant Mr. Stephen Hanson. Mr. Travalini enquired about the DEP number for the project. Ms. Graziano said that there was no DEP file # associated with this agenda item. She enquired with the applicant if the application was sent to the DEP. Mr. Hanson said his engineer had submitted the application. Since there is no DEP #, Ms. Graziano said that this agenda item cannot be discussed except for opening it to continue to the May 22, 2014 meeting. Mr. Travalini suggested that a site walk should at least be discussed and scheduled. He asked if the abutter forms were received. Mr. Hanson said that his engineer had sent the green cards out. He was not aware that those cards have to be returned to the commission. Since the abutters were not notified, Ms. Graziano suggested that no discussion should take place. A site walk is scheduled for May 13, 2014 at 6:30 P. M. Ms. Nigro asked if she should accompany the commission members during site walk. It's been decided that Ms. Nigro will bring the green cards and hand them over to Ms. Graziano in the next few days.

Motion made by Mr. Travalini to continue (DEP # 216-xxx), 157 Main Street to the May 22, 2014 meeting seconded by Ms. Bosselman. Unanimous

Discussion Items:

- 1.** On April 12, 2014, Mr. Travalini, Mr. Biocchi, and Ms. Bosselman did a site walk of the proposed athletic field at Medway High School. Members saw the erosion, as pointed by Ms. Graziano. Mr. Travalini said that the erosion is coming from two spots, one from the third base bench of the softball field, and the other at the end of the field. Ms. Graziano will do the erosion controls with the Medway Athletic Director, Mr. Robert Pearl. Mr. Travalini said that when this project comes before the board with a plan for the trail, different methods of clean up should be discussed. He said that the members including Ms. Graziano should visit the site when the trail is being built.
- 2.** Ms. Bosselman expressed her support and willingness to reach out to existing and new residents of Medway by sending them the welcome packets. Ms. Graziano said that it will be too many people to send the packets out to existing residents. Mr. Travalini said that there were some brochures available by the town clerk's office few years ago. It's been decided that they could be added to the Medway official website.
- 3.** Mr. Travalini talked about the Medway town meeting on May 12, 2014. Town Selectman had requested someone from CONCOM to be present at that meeting. Mr. Travalini plans on attending the meeting. This meeting is to vote for the amendment to the by-law to set the fees in the CONCOM rules and regulations. Mr. Travalini said that it's upon the commission to set the fees

after it is voted by the town. He said the discussion should be included in the next CONCOM meeting as part of an executive session and later on will be added as a regular agenda item for discussion. Ms. Graziano said that it is not exempt from open meeting and that it does not have to happen in an executive session. Mr. Travalini suggested that the discussion should be added to the May 22, 2014 meeting agenda.

4. Signing of Conservation Restriction for Williamsburg Way- Related material was provided to the members of the commission and was looked over by town counsel and signed by the selectman.
Motion made by Mr. Travalini to accept the conservation restriction for Williamsburg Way, seconded by Mr. McKay. Unanimous.
5. Canoe Ramp Compliant at 57 Village Street – Mr. Travalini and Ms. Graziano did a site walk in April 2014. Ms. Graziano said some of the neighbor's property has been encroached and the erosion control line has been moved. Some silt fencing, and snow fencing has been added. Mr. Travalini said that the brushes have been cleared.
6. Ratify emergency certification for Beaver Dam at 161 Summer Street- Ms. Graziano said that an emergency certificate was issued for 161 Summer Street on April 17, 2014. **Motion made by Mr. Travalini to ratify emergency certification for Beaver Dam at 161 Summer Street, seconded by Mr. McKay. Unanimous**
7. Update on Wickett Property Site Walk- Mr. Travalini, Ms. Bosselman, and Mr. McKay made a site walk to the property. Members said that it is a good property with wetlands. Ms. Graziano attended a meeting with Ms. Karen Kisty, Mr. Paul DeSimone, and Mr. Dennis Crowley. This group went over the drafted plans. According to Mr. DeSimone, there is a potential to develop assisted living community on the entire 126 acres. Only 60% of the land will be utilized for assisted living the remaining 40% of the area will be given to the town as open space. The group also discussed the access to the upland areas.
8. Update of 257 Village Street Site Walk – Ms. Graziano made the site walk with Eric from Lucas Environmental. Proposed project is the construction of sewer lines through wetlands. Lucas Environmental re-flagged the wetland lines for the property owner. Ms. Graziano said the area is very wet and most of the properties bordering that area have filled the wetlands. She said this area will be affected by the installation of the sewer lines.

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

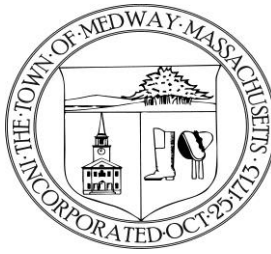
Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the March 13, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files.

- Millstone Village (formally Daniels Village) Off Winthrop Street (DEP File # 216-735) – Site Plan



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Meeting Minutes

May 22th, 2014

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on May 22th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Jen Bosselman, Glenn Murphy, Interim Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:33P.M.

Determination of Applicability:

- **10 Hill Street – Proposal to install replacement septic system and abandon old system** – Proposed work includes the installation of replacement septic system and abandonment of old system. Present is Mr. Dan McIntyre with the property owner Ms. Heather Prince. Ms. Prince is in the process of selling the property, and the septic system failed the Title V inspection. Property was built in 1987. There are wetlands in the front of the house. Septic system is in the front yard and the new septic will be installed in the same location. It is outside the 50 ft. buffer and no work will be done within the 25 ft. no disturb zone. The work will be within the 100 ft. buffer zone. Erosion controls will be installed around the limit of work. Mr. McIntyre presented the revised to the commission. It was requested to use straw bales and silt fencing along the area where the excavation and grading will be done. Compost sock will be provided along the drive way and intermittent stream. Mr. McIntyre said that there is high ground water table, the front yard and the house is already mounded. Mr. Travalini asked how the new system would succeed over the earlier failed system if the elevation is not being changed. Mr. McIntyre replied that the elevation will be changed by 12” and it will be blended into the existing silt sock and will look like a mound. The old system is not in the ground water table and the soil is reasonable. The existing system failed due to lack of maintenance and home owner abuse. Mr. Travalini said that this is a good time to put the markers on the 25 ft. no build. He said this property was built before the 25 ft. buffer requirement came into effect. Ms. Graziano reported that the flags were not done by a wetland scientist. She made a site visit but has not inspected all the flags. Ms. Graziano requested for a more comprehensive review of the flags. She talked about a small brush pile on the edge of the 25 ft. buffer zone which is forested. Mr. McIntyre suggested that signs should be placed to avoid others from dumping brush piles. Ms. Graziano recommended voting a positive 2B and a negative 3, 2B defined as “is not specifically confirming the wetland delineation on the plan”. In addition to the conditions set forth by

Ms. Graziano, Mr. Travalini added another condition which is to have 4" x 4", 4 feet long granite bounds placed opposite wetland flags 2 and 4 with the letter "W" inscribed on it.

Motion made by Mr. Travalini to accept the conditions listed by Ms. Graziano and issue a positive 2B, and negative 3 (work taking place in the buffer zone), seconded by Mr. McKay. Unanimous.

Public Hearings:

Continued Abbreviated Notice of Resource Area Delineation - 102 Winthrop Street (DEP File # 216-821) – Present is Mr. Paul DeSimone. Ms. Graziano did not receive any relevant paper work for this agenda item. Mr. Travalini expressed that the commission will wait for the wetland scientist, Mr. Allen's comments.

Motion made by Mr. Travalini to continue the 102 Winthrop Street (DEP File # 216-821) to the June 12, 2014 meeting, seconded by Mr. McKay. Unanimous.

Continued Notice of Intent – 257 Village Street (DEP File # 216-832) – **Motion made by Mr. Travalini to continue 257 Village Street (DEP File # 216-832) to the June 12, 2014 meeting, seconded by Mr. McKay. Unanimous.**

Continued- Request to Amend Order of Conditions – 4 Fern Path (DEP # 216 – 825) – Proposal to amend the existing Order for the construction of Shed -

Present is Mr. Robert Truax from Allen Engineering requesting to amend order of conditions for the above referenced property. Ms. Graziano said that the inspector did not grant a CO because it was not approved by the conservation commission and instead approved a temporary CO until the commission approved the placement of the shed. The shed was built at the same time the house was built and it was part of the original plan. Mr. Travalini asked if the shed was placed close to the lot line and if it was part of the previous order. Ms. Graziano said that they were trying to amend the existing order and said that they have a partial certification of compliance but for only conditions 1 to 35. She said that they spoke about potentially filing for certification of compliance and RDA for the shed but since the site was not completely done yet, they decided to amend the order conditions and add a condition for the shed. Ms. Graziano did not submit the application summary since she had one more condition to recommend. The special condition 36 is that the applicant shall allow the area around the proposed shed where it is lawn to revert back to natural buffer zone through the planting of native shrubs in this area such as Bayberry or Witch Hazel. This area shall not be mulched or maintained in any manner. Native shrub location shall be reviewed with the Agent prior to planting.

Motion made by Mr. Travalini to issue an amendment to DEP # 216- 825 per the 35 special conditions set forth by the agent, including the special condition 36 (as described above), seconded by Ms. Bosselman. Unanimous.

Continued Notice of Intent – 157 Main Street (DEP # 216 – 836) – Proposal to construction of an addition to an existing day care within an existing house -

Present is Mr. Joe Sullivan, Mr. Stephen Hanson and Mr. Desheng Wang with property owner Stephen Hanson. Mr. Sullivan marked the revised plan. Mr. Travalini, Mr. McKay, and Ms. Bosselman walked this site on May 19, 2014. Mr. Sullivan said the majority of work will be done within the 100ft buffer area and they were proposing an addition on the back of the existing building which is paved right now. Proposal is to build additional dwelling and a walk way up to the building. There is an existing catch basin and a drain pipe. Proposal it to move them as they were of no use. Since they are right off the edge of the building they would be damaged during the construction of the building. Once proposed condition is approved, there will be less than 3900 Sq. ft. of impervious area. The new roof and half of the back existing roof will be directed to a large dry well for ground water recharge. Mr. Travalini expressed his concern about a fill that is migrating down the slope. He suggested siltation barrier at the bottom of the slope would seed itself. Seed mix or native plants could also be used. Mr. Wang and Ms. Graziano observed some erosion at the discharge point which is at the end of the driveway. Run -off will be filtered by road side grass strip and then sent to an infiltration trench. The 3 ft. X 2ft. trench is designed to have some surface inlet grate to facilitate the infiltration. According to Mr. Wang, fill will be replaced by gravel. Mr. Travalini suggested having driveway with crushed gravel instead of an asphalt drive way. The crush gravel would allow for some infiltration. Mr. Wang expressed his concern about plowing the driveway in winter with crushed gravel. Mr. Hansen said that this option might not be feasible. Access points will be from the existing driveway. Ms. Graziano said an operation and maintenance plan should be added to the order of conditions and inspectional reports should be sent to the commission on a yearly basis. Mr. Travalini suggested that the public hearing could be closed at this CONCOM meeting subject to the commission receiving all the relevant material about the project.

Motion made by Mr. Travalini to close the public hearing on 157 Main Street and to vote pending the receipt of a set of full plans, long term storm water maintenance plan, change the hay bales to straw bales, seconded by Mr. McKay. Unanimous.

- **49 Alder Street-- (DEP # 216 – 837) – Wastewater Treatment Plant Proposal-** Present is Peter Lavoie with Keith and Jim Lawrence. Project is located at 49 Alder Street. This agenda item was presented in 2012 with a notice of intent for the development of this project and the delineation of the wetland line in the river front line. Currently the site is developed. A request for certificate of compliance was filed in 2013. The existing building has the office in the front and the garage in the back. Bark mulch was used for final stabilization of the area. On the property there are two settling basins and a catch basin that goes into a small underground basin for recharge. The current proposal is to build a 50 x 90 ft., 4500 Sq. Ft. Building separate

from the existing building by 16 feet. Grass or crushed Stone Island will be built along the back. This will reduce the pavement area by 360 Sq. Ft. The roof of the building will tie into a 12" drain, which will go into the underground basin where it is originally goes in the existing conditions. The new steel building will be a full garage with bay doors. Sewer will be tied into the existing sewer line, water and electricity will run in between. The red line on the submitted plan is the limit of disturbance within the pavement. The existing pavement will be removed to change the grade. Pavement will be taken off site. Material will be brought in to raise the grade. The area will be re-paved later on. The grade in the back and along the side of the building will remain the same, at grade. The only grading change will be in the front area. Waddle or mulch sock will be used. Mr. Travalini asked if any siltation control will be provided when the area is dug. Ms. Graziano asked filter fabric to be used as well. Mr. Travalini suggested using mulch tube on the asphalt. Ms. Bosselman asked about the type of activities that would take place in the new garage. She also asked if there large volume of oil will be saved on the property. Mr. Lawrence said it will be used for the maintenance of the dumpsters and that they are metal pots. Ms. Graziano added the condition which says, the current operation and maintenance plan including the SWPPP shall be followed and implemented as described, and the conditions shall remain in perpetuity. This condition was not mentioned in the earlier order. Part of the operation and maintenance plan include clean catch basins, and reports of inspection of the storm captor post construction presented to the commission.

Motion made by Mr. Travalini to issue order of conditions for (DEP # 216- 837), 49 Alder Street as per plans with the change that straw waddles will be used instead of silt sock and the site maintenance plan as is currently being issued to the conservation commission as a permanent condition and that reports of the storm captors be issued to the CONCOM once a year, catch basin cleaning post construction, and addition of filter fabric to the catch basins during construction, seconded by Mr. Murphy. Unanimous.

• **91 Fisher Street—(DEP #216 – 838) – Construction of a new replacement septic system –**

Present is Mr. Peter Lyons from Collins Engineering Group. The proposed project is for the construction of a new replacement septic system for a 4bed room house. The proposed system will include 1500 gallon septic tank in a 14.5 x 25 ft. leaching field. This construction will be as close as 58ft from the wetlands on the south corner of the leaching field. The existing septic tank will be de-commissioned within 50 ft. of the wetland. Proposed erosion control will be provided as close as 27 ft. to flag # 2. The project as shown on the plan will not impact the surrounding tree line and the existing trees in the front of the house will stay. Ms. Graziano talked about the property owners blowing leaves into the swampy wetlands over a period of time. She said a portion of the wetland is completely filled in at this point. There are grass clippings on a portion of the wetland. She will come up with a plan for the removal of the leaves in the wetlands. She said the location of the stock piling the material of the septic system must be mentioned on the plan. Straw bales and trench silt fencing must be used for erosion control. Catch basins if there are any must be covered with filter fabric. The plan has been approved by the Board of Health on May 19, 2014. Ms. Graziano elaborated on the condition which says, the applicant shall complete mitigation by removing all leaves and lawn clipping placed into the

wetlands resource during landscaping activities. This work shall be done by hand. No leaves, lawn clippings, or landscaping materials, organic or non-organic may be placed within the wetland resource in perpetuity. She said there should be a requirement for a restoration plan. It could include plantings around the swamp area where there are lawn clippings. Mr. Travalini suggested having 4" x 4", 4 ft. long, and granite markers with letter "W" on the flags 2, 4, and 6. A site walk has been scheduled for June 4, 2014 around 5:30 P. M.

Motion made by Mr. Travalini to issue order of conditions for DEP # 216 – 838, 91 Fisher Street with the additional conditions that granite bounds be placed on wetland flags 2, 4 and 6 as described above, the grass clippings and leaves be removed from the wetland, and the applicant must consult with the conservation agent to get a recommended list of plantings in the area, including the conditions set forth by Ms. Graziano and described above, seconded by Ms. Bosselman. Unanimous.

Request for Certificate of Compliance:

- **10 Overlook Drive – (DEP # 216 – 664)** - Ms. Graziano reported that work on this project never started. For the same reason, a certificate of compliance was issued.

Motion made by Mr. Travalini to issue a certificate of compliance for 10 Overlook Drive for the reason that the work never started, seconded by Mr. Murphy. Unanimous.

- **Wastewater Treatment Plant – (DEP # 216-781) – Certificate of Compliance has been filed.** Few remediation measures have to be completed. Request was made to continue this certificate to the next meeting.

Motion made by Mr. Travalini to continue the request for a certificate of compliance (DEP # 216-781), seconded by Mr. McKay. Unanimous.

Meeting Minutes

Motion made by Mr. Travalini to accept the meeting minutes of May 8, 2014, seconded by Mr. McKay. Unanimous.

Discussion Items:

1. **Williamsburg Way Site Visit:** Ms. Graziano made a site visit since one of the buildings is seeking building permit. She reviewed the order of conditions and there is a super ceding order of conditions for this property. She has communicated with the property owner to follow up on erosion controls adjacent to storm water basins, filter fabrics and clean up in the catch basins,

House 2, and 4 should be staked and orange fencing should be added to keep the equipment away from the grass. Erosion controls should be reported to the CONCOM office on a weekly basis.

2. Millstone Village Trails Site Visit: Ms. Graziano worked with Ms Tina Wright and Mr. Rob Truax to look at the trail system. There is new Millstone trails for the open space area under the control of the of the condo association. The area cannot be developed since it is under the control of the condominiums, and it does not belong to the town. Efforts are being made to connect the trail system to the Irusi open space, under the control of CONCOM. Two parking areas were looked at. They are accessible from the street. Developer will be paying for the project cost. A letter will be drafted to the Open Space Committee expressing CONCOM's support for the project. A vote is not required since that area is not CONCOM's land. Mr. Murphy reported that he is stepping down as the member of the Open Space Committee.
3. Review of possible amendments to wetlands regulations pertaining to fee structure: Members decided to ponder on this for few more weeks before a proper discussion can take place. Ms. Graziano will draft a fee structure document that members can use.

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

Respectfully submitted,

Sree Allam

Minutes Clerk

Documents Presented at the May 22, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files.

Determinations

10 Hill Street

- Plans titled, "Septic System Design" by McIntyre Engineering and Septic Services, Inc. , dated May 5, 2014 and revised 5-18-14
- Application Summary of the Agent for 10 Hill Street RDA filing

Certificate of Compliance

Wastewater Treatment Plant 66 Village Street

- Plan titled, "Charles River Pollution Control District Water Pollution Abatement Facilities WWTF Improvements- Phase A" by CMD, inc., dated January 2011
- Email from Agent to Kristen Paradee, dated May 16, 2014

Public Hearings

Request to Amend Order of Conditions- 4 Fern Path (DEP #216-825)

- Letter dated March 27, 2014 from Allen Engineering with subject Amended Order of Conditions DEP file #216-825
- Plan titled, "She Permit Plan" by Allen Engineering, dated March 11, 2014

Notice of Intent – 157 Main Street DEP file number 216-0836

- Plan titled, "Site Plan of Land in Medway, MA" by Sullivan Surveying Company, dated April 24, 2014
- Notice of Intent Packet

Notice of Intent – 49 Alder Street DEP file number 216-0837

- Plan titled, "Lawrence Waste Services Site Plan for 49 Alder Street in Medway, Massachusetts", dated April 29, 2014 by Guerriere & Halnon, Inc.
- Notice of Intent for 49 Alder Street in Medway, Massachusetts, dated April 29, 2014 by Guerriere & Halnon, Inc.

Notice of Intent – 91 Fisher Street DEP file number 216-0838

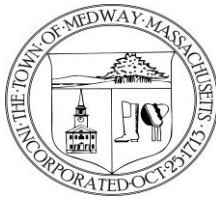
- Plan titled, " Plan and Details Subsurface Sewage Disposal System Upgrade" by Collins Civil Engineering Group, Inc. Dated April 24, 2014

- Notice of Intent, dated May 7, 2014 by Collin Civil Engineering Group, Inc.

Discussions

Discussion #3 -Review of possible amendments to Wetlands Regulations pertaining to fee structure

- Surrounding town fee matrix



MEDWAY CONSERVATION COMMISSION MEETING

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

7:30 P.M.

Minutes

June 12th, 2014

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on June 12th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Jen Bosselman, Interim Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:35P.M.
- Mr. Biocchi joined the meeting at 7:40 P.M.

Request for Certificate of Compliance:

- **66 Village St – Charles River Wastewater Treatment Plant (DEP # 216-781) – Proposal to install fence along the driveway.** The Order of Conditions was not available to Ms. Graziano. She has reviewed the submitted plan with Kristin Paradee. Extra work such as the removal of straw wattles was requested in the un-stabilized areas created by the removal of erosion controls. The area has been seeded with straw wattles on top of it to stabilize the area. The area has been inspected, there is no vegetation growing in the area. Mr. McKay asked if there was any risk of damage and Ms. Graziano said no. She had expressed her satisfaction with this phase of the project and reported that there are two more phases that are currently under review. **Motion made by Mr. Travalini to issue a Certificate of Compliance for 66 Village Street (DEP # 216-781) based on the comments from the CONCOM agent, Ms. Graziano, seconded by Mr. McKay. Unanimous.**
- **17 Main Street (DEP # 216 – 828)** – Ms. Graziano made a site visit on May 30, 2014. The front yard of the property slopes into the wetland. She reported the erosion controls still need to be removed once stabilized and graded off to make sure there is no erosion into the wetlands resource and associated buffer zone. She noted the disturbed area have been hydro seeded but at this time no vegetation has grown. She explained she would like to see vegetation growing, erosion controls then removed (with Agent permission) and erosion control line and limit of work graded so not a cause erosion. If these conditions are met to the Commission's satisfaction compliance is expected with condition 26, 28, 29 and 30. .. A final visit shall be made by Ms. Graziano after all the requirements are met. A 21-day waiver was submitted by applicant.
- **10 Overlook Drive (DEP #216-664)** – This agenda item (Certificate of Compliance) was discussed and voted at the earlier CONCOM meeting. Ms. Graziano requested the members of the commission to sign the certificate. Mr. Biocchi abstained from signing the certificate since he was not at the meeting.

Public Hearings:

Continued Notice of Intent – 257 Village Street (DEP File # 216-832) – Proposal to install an e-one pump unit, force main, and sewer manhole structure. Present is Mr. Eric Ford from Lucas Environmental and Mr. Chris Lucas, Principal and owner of Lucas Environmental, Mr. John Spink, Design Engineer with the project proponent, Mr. David Einis. The initial Order of Conditions (still valid) on this property was issued by CONCOM commission in 2007. Part of the design was to sub-divide the parcel to create single family home lot. In November 2013, CONCOM agent issued an Enforcement Order since there was encroachment in the 25 ft. buffer zone. A site visit was made by Mr. Ford to the area on June 12, 2014 to assess the area for re-vegetation since no work was done after the enforcement order was issued. He reported that the area has showed a good sign of re- growth and expressed that leaving the area undisturbed should be sufficient for the purposes of the Enforcement Order without a need for a formal restoration plan. Mr. Travalini inquired the location of the silt fence on the plan submitted. Mr. Spink reported that they are outside the flag line but not by much. The line was initially flagged by LEC Environmental. Ms. Graziano and Mr. Ford made a site visit, however no augers were put and tested due to the absence of a finalized plan. Mr. Lucas reported that the wetland line for the property was approved by the CONCOM under the Order of Conditions for an over 55 community. Mr. Spink said the lot in question has always been a single family house lot. CONCOM members said the ANRAD was issued for the entire project and delineation was done as part of the project. The single family lot was not delineated and walked as part of the whole project. Mr. Travalini did not walk on the single family lot and expressed that the line needs to be looked at and inspected. Mr. Travalini reiterated that this project must be treated as a separate project. The Commission discussed about the allowed disturbance up to 5000 Sq. Ft. under the original proposed subdivision and that this could possibly exceed the 5,000 sq ft limit under the WPA and local Bylaw. CONCOM members reiterated that this property is allowed for one 5000 Sq. Ft. alteration of wetland resource and that it will not approve of a separate limited area for the proposed project. Commission expressed that Mr. Einis had already used the 5000 Sq. Ft. alteration allowed under the law. Mr. Lucas and Mr. Spink reiterated that the project has not exceeded the 5000 Sq. Ft. and therefore his client could apply to alter up to 5,000 sq ft. Mr. Lucas urged Ms. Graziano to contact MassDEP to verify whether the wetland line present in the approved Order of Conditions is considered approved for the purposes of the proposed project. Mr. Biocchi said the commission needs to go and inspect the wetland line for the new project. The forced main project is being proposed as a limited project. Mr. McKay enquired about the extent of disturbance in the proposed project. Mr. Ford reported that it would a little under 1500 Sq. Ft. Mr. Ford explained to the Commission the details of the proposed project. There is the existing 1000 gallon septic tank, an old pit that will be abandoned, and a gravity line that will be run to the e-one pump system. This system will tie into the existing sewer line on Narragansett Street. A small excavator will be used to dig the trench. There will be 18.5 linear ft. of bank impacts along the intermittent stream and the bank will be restored. Restoration plan will be submitted to the commission. Mr. Spink reported that the planning board did not sign the special order of conditions. Commission members and Ms. Graziano asked the project proponent to research and analyze if there other options/ alternatives to complete this project. They asked that evidence must be made available to the Commission that there is no better alternative available to complete the project other than the one that is

being presented to the commission. Mr. Spink reported that the lot has been re-configured into a different shaped lot. It is part of the plan of land and part of sub-division which is not part of the special permit. Commission members reiterated again that the lot on which the project is being proposed should be registered as a separate lot and that the commission will make a site visit to walk the line and make a determination. A site visit has been scheduled for June 25th at 5:30 P.M.

Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-832) to the June 26, 2014 meeting, seconded by Ms. Biocchi. Unanimous.

Continued Notice of Intent – 157 Main Street (DEP File # 216-836) - Ms. Graziano reported that the hearing was closed pending the storm water management and operations and maintenance plans. A revised plan is expected to be submitted showing the commission's request. Ms. Graziano submitted the above mentioned plans to the Commission. Mr. Travalini said the only disturbance will be the fill that needs to be pulled out as part of the proposed project. Report shall be submitted to the commission annually.

Motion made by Mr. Travalini to issue an Order of Conditions for DEP File # 216-836, 157 Main Street, seconded by Ms. McKay. Unanimous. Mr. Biocchi abstained.

Continued Abbreviated Notice of Resource Area Delineation - 102 Winthrop Street (DEP File # 216-821) – Ms. Graziano has been working with Mr. Paul DeSimone and Mr. Art Allen to obtain a final plan for the ANRAD. Mr. Allen is working on a list of items that shall be presented to the commission. A site visit will be scheduled by Ms. Graziano and Mr. Allen will eventually present the final report to the commission.

Motion made by Mr. Travalini to continue the 102 Winthrop Street (DEP File # 216-821) to the June 26, 2014 meeting, seconded by Ms. Biocchi. Unanimous.

Discussion Items:

- 1. Millstone Village Trails – Site Visit:** Ms. Graziano received calls from some of the residents that had concerns with a proposed trail system coming from the Millstone Village sub division through the open space area that would extend to CONCOM controlled land called Iarussi. Because of the wetland system some of the trails may have to come up close to the back property line of the Iarussi sub-division. Ms. Graziano agreed to do a site walk and walked with 10 -15 residents of the sub-division. The open space is under the care and custody of the Conservation Commission. Planning Board is working with the Open Space Committee and with the Millstone developer to work out a parking area and a trail system on the Millstone property. There is some ambiguity about the validity of the old roadway. Ms. Graziano reiterated that it's upon the Conservation Commission to make a determination whether the trail will go through the Irusi Way. It was discussed that the area should be walked to get more clarity with regards to the location of the wetlands.
- 2. Review of possible amendments to wetlands Regulations pertaining to fee structure: Tabled.**
- 3. Agent's Office Hours:** There was discussion about Ms. Graziano's Office Hours after July 1, 2014. She will be working 26 hours/ week. She asked if the Commission will be comfortable if she had posted 10-15 hours for office hours. On full days, Mr. Travalini suggested that the agent work half

time in the office and the rest of the hours in the field. Ms. Graziano will have Thursdays for office hours due to the scheduled CONCOM meetings. On Friday's, Ms. Graziano will have office hours between 7:30 AM– 12:30 P.M. She will be available for afternoon/evening site visits with the Commission on Wednesdays.

4. **Summer Meetings:** The CONCOM meetings will be scheduled on the second and fourth Thursdays of the month through the summer.
5. **Update DEP File # 216-0864 Charles River Pollution Control District Waste Treatment:** Ms. Graziano reported that this is Phase II of the Charles River Pollution Control project. A pre-construction site visit was made by the Agent and the plan was looked at. Based on the field site visit, the erosion control measures were amended. The drainage areas were asked to be cleaned out and to add filter fabric to the catch basin during construction. Another site visit will be made by the agent to ensure that all the conditions have been met. A copy of the Solid Waste Implementation Plan (SWIP) has been requested to monitor project progress.
6. **Alder Street - Possible Violation:** On her visit to 49 Alder Street, Ms. Graziano observed that enormous amount of fill was brought into one of the empty lots adjacent to this property. The fill being brought in is in the buffer zone and the Agent expressed concern about the absence of Medway Bylaw about importing fill. The fill needs to be tested before it is brought in, the town should be concerned about the possibility of contaminated fill being brought into the town. A phone call enquiry to the property owner about the matter. Mr. Biocchi suggested that an Enforcement Order must be issued to the property owner if there is no response to the phone inquiry. Ms. Bosselman's suggestion was to send a certified letter with the violation notice before issuing the Enforcement Order.
7. Ms. Bosselman was asked to be on the Open Space Committee. She asked CONCOM members if it was allowed and appropriate to be a representative of the committee.
8. There was some discussion about the amphitheater project. Ms. Graziano suggested that it is appropriate to issue a General Order of Conditions for the land improvements and maintenance. As part of the order the various phases of the project will be reported to the agent any needed improvements will be suggested. Eventually a final report will be produced with all the phases of the work recorded including the recommendations by the commission. Burning activity will be allowed early in the season (March – May).
9. **Fees:** Ms. Graziano reported that the commission was asked to come up with a fee structure since \$11,000 had been added from the WPA fund to cover the Agent's salary. She maintains an excel spreadsheet that includes the revenue earned by the Commission through the fee plus the monies received from the town of Medway to add to the CONCOM fund. These amounts are shown for every fiscal year. For an RDA, \$75.00 was suggested towards the fee. Commission discussed the fee structure from the neighboring communities (A comprehensive table with the fee structure for various communities was presented to the members). As a first cut, members decided to have \$200 as comprehensive fee (all projects that do not fit the criteria required to qualify for the basic fee shall be charged the Comprehensive Fee amount). Members discussed Sherborn's CONCOM fee structure. Sherborn follows state categories instead of sq. ft. of alteration. Decision has to be made

on the fee structure for Medway. Members commented that Sherborn fee structure is on the higher side.

Commission decided on the following amounts for various categories. The definition of the categories are available in Appendix A of the Sherborn CONCOM filing fee calculation sheet.

Category I: \$250

Category II: \$1000

Category III: \$2000

Category IV: \$3000

Category V: \$1500

ANRAD: \$1/ linear foot with a minimum of \$200 and maximum of \$2000

Certificate of Compliance: \$75.

Public Hearing on the fee structure will be drafted by Ms. Graziano.

**Motion made by Mr. McKay to adjourn meeting, seconded by Ms. Bosselman @ 9:47 P.M.
Unanimous.**

Respectfully submitted,

Sree Allam
Night Secretary

Documents Presented at the June 12, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Public Hearings

257 Village Street

- Plan titled, “E-One Pump Design 257 Village Street Medway, Massachusetts”, dated November 4, 2013. Revised June 2, 2014 by Spink Design

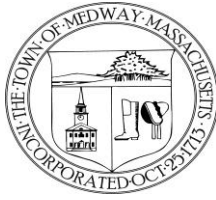
157 Main Street

- Plan titled, “Site Plan of Land in Medway, Mass” dated April 24, 2014 revised 5/21/14 & 5/30/14 By Sullivan Surveying Company, LLC
- Document titled, “Stormwater Management Report-157 Main Street, Medway, MA”, dated May 22, 2014 revised May 30, 2014

Discussions

Possible Amendments to the Medway Regulations

- Local Towns Fee matrix
- Draft fee structure for regulations



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

June 26th, 2014

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on June 26th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Jen Bosselman, Interim Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:33P.M.
- **Meeting Minutes:**
Motion made by Ms. Bosselman to accept the meeting minutes of May 22, 2014, seconded by Mr. McKay. Unanimous.

Request for Certificate of Compliance:

- **48 Highland Street (DEP # 216 – 0805) - Proposal to install a pool and (DEP # 216-751) Proposal to install a deck** – CONCOM Agent, Ms. Graziano made a site visit to the property on June 17, 2014. The deck and pool location were inspected to check for the placement of the bounds. The order of conditions were looked at for both projects. Ms. Graziano recommended the issuance of the certificate of compliance. **Motion made by Mr. Travalini to issue a certificate of compliance for 48 Highland street DEP # 216-0805 based on the recommendation by Ms. Graziano, seconded by Mr. McKay. Unanimous.** Per agent's recommendation, motion made by Mr. Travalini to issue a certificate of compliance for 48 Highland street DEP # 216-751, seconded by Mr. McKay. Unanimous.
- **2 Fern Path (DEP # 216 – 0826) -** Motion made by Mr. Travalini to continue the request for certificate of compliance for 2 Fern Path (DEP # 216 0826) based on the fact that there is not enough documentation available to make a decision, seconded by Mr. McKay. Unanimous.

Public Hearings:

Continued Notice of Intent – 257 Village Street (DEP File # 216-832) – Proposal to install an e-one pump unit, force main, and sewer manhole structure - Mr. Travalini, Mr. McKay and Ms. Bosselman did the site walk and stuck augers in the ground. Members reported the wetlands run right up to the deck. There is some existing fill and does not look like it was brought in. Mr. McKay reported that there is a septic tank. Members also noted that there is encroachment by most neighbors on the property. Applicant's agent took note of the Wetland line and agreed with CONCOM members about the presence of wetland soils up to the back of the deck. Ms. Graziano reported that there is a bank check written to the commission for this project that was never cashed. Mr. Travalini suggested that the check should still be processed and if it does not go through then Mr. Ennis should be informed about it.

Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-832) to the July 10, 2014 meeting, seconded by Mr. McKay. Unanimous.

Continued Abbreviated Notice of Resource Area Delineation – 102 Winthrop Street (DEP File # 216-821) – Motion made by Mr. Travalini to continue 102 Winthrop Street (DEP File # 216-821) to the July 10, 2014 meeting, seconded by Mr. McKay. Unanimous.

Discussion Items:

1. **Alder Street:** CONCOM agent, Ms. Graziano received a call and voice message from the property owner. He welcomed the idea of a site visit by the agent and reported that erosion controls were used. Mr. McKay looked at the property and expressed that putting erosion controls in the buffer zone is not a good practice. Ms. Graziano mentioned that there might be a potential sale of the property. Mr. Travalini said if the owner does not give permission or delays the site visit then she should use Google Earth and make an educated guess about the location of the fill. He said an enforcement order should be issued if the filling is within 100ft of the wetland.
2. **Review of possible amendments to wetlands Regulations pertaining to fee structure** – Ms. Graziano presented to the commission a draft copy of the Rules and Regulations of the Town of Medway Conservation Commission document. She pointed the members to the filing requirements, fee schedule, and bullet points under the other fee section. The following rates were discussed to be presented at the public hearing:

Category I - \$75 – Certificate of Compliance for a single family home

For Categories II through V the fee structure will be 20% of the Category fee presented in the fee schedule table on pg. 33 of the document.

A request for the certificate of compliance for an expired order shall be charged the fee of the notice of intent or \$200 whichever is greater. The fee for additional site visits shall be \$ 35. The amendment of order of conditions that requires a hearing shall be charged a fee that's 50% of the category fee. Mr. Travalini suggested that the discussed fee structure should be opened up for hearing at the July 10, 2014 CONCOM meeting.

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

Respectfully submitted,

Sree Allam

Minutes Clerk

Documents Presented at the June 26, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files.

Request for Certificate of Compliance

48 Highland Street

- Plan titled, “Proposed Pool Plan of Land in Medway, MA”, dated April 16, 2012, revised July 17, 2012 by Colonial Engineering
- Plan titled, “ Deck As-Built Plan of Land Medway, MA”, dated June 16, 2014 by Colonial Engineering

Discussions

Possible Amendments to the Medway Wetlands Protection Regulations

- Draft document of possible amendments to the Medway Wetlands Protection Regulations dated June 26, 2014



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

July 10th, 2014

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on July 10th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Tony Biocchi, and Sreelatha Allam, Night Board Secretary

- Call to order at 8:19 P.M.
- **Meeting Minutes:**
Motion made by Ms. Travalini to accept and approve the meeting minutes of June 12, 2014, seconded by Mr. McKay. Unanimous.
Motion made by Ms. Travalini to accept and approve the meeting minutes of June 26, 2014, seconded by Mr. McKay. Unanimous.

Request for Certificate of Compliance

- **2 Fern Path (DEP # 216 – 0826) – Original Proposal to construct a single family home –**
Motion made by Mr. Travalini to continue the request for certificate of compliance for 2 Fern Path (DEP # 216 0826) to the July 24, 2014 meeting, seconded by Mr. Biocchi. Unanimous.

Public Hearings:

- **Continued Notice of Intent – 257 Village Street (DEP File # 216-832) – Proposal to install an e-one pump unit, force main, and sewer manhole structure –**
Motion made by Mr. Travalini to continue 257 Village Street (DEP File # 216-832) to the July 24, 2014 meeting at 7:45 P.M., seconded by Mr. McKay Unanimous.
- **Continued Abbreviated Notice of Resource Area Delineation – 102 Winthrop Street (DEP File # 216-821) –**
Motion made by Mr. Travalini to continue 102 Winthrop Street (DEP File # 216-821) to the July 24, 2014 meeting, seconded by Mr. Biocchi. Unanimous.

- **Amendments to the Medway Wetlands Bylaw Regulations – Amendments to Sections 1-8:**
Motion made by Mr. Travalini to continue the amendments to the July 24, 2014 meeting at 7:45 P.M.,
seconded by Mr. Biocchi. Unanimous.

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

Respectfully submitted,

Sree Allam

Minutes Clerk



MEDWAY CONSERVATION COMMISSION MEETING

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

7:30 P.M.

Minutes

July 24th, 2014

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on July 24th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Jen Bosselman, Ken McKay, Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:33P.M.
- Request to add 2 Fern Path to amend an order of conditions for certificate of compliance to the meeting agenda.

Motion made by Mr. Travalini to add to the agenda an amendment to an order of conditions for 2 Fern Path, seconded by Ms. Bosselman. Unanimous.

Request for Determinations of Applicability

184 Holliston Street – Proposal for replacement septic System – Present is Mr. David Gorden, from Thunderchase Environmental LLC, representing the applicant Richard Gallerani. Proposal is to upgrade an existing septic system and the applicant is seeking a negative determination. Ms. Graziano was provided with the certified mailings of the abutters before the meeting. All the proposed work will be done outside the 50ft. wetland buffer zone. The resident's exists between the wetlands and the proposed septic upgrade. Existing pipe in the house will be utilized to connect to the 1000 gallon tank. Conservation Commission agent, Ms. Graziano made a site visit to the property. She noted that there is a brush pile between A2 and A4 wetland flags that should be removed. The application summary was prepared after Ms. Graziano's site visit and she wanted to ensure that large piles will be hauled off the site. On the north side of the property, she recommended using trench silt fencing and filter mitt since most of the work will be focused on that side. On the south side providing filter mitt should be adequate. Applicant did not request to have the wetland delineation line approved. Ms. Graziano's recommendation is to issue a positive 2B5, and a negative 3 with special conditions. Mr. Travalini noted that there is a drop-off in the backyard of the property. If needed, Mr. Gorden said the parking for the equipment will be done on Skyline Drive after seeking permission. Commission members are okay with the parking the equipment in the construction as long as it is outside the 25ft. buffer zone.

Motion made by Mr. Travalini to issue a positive 2B (because the boundaries of resource area are not confirmed, the delineated line will not be approved), positive 5 (subject to the commission's review and approval), and a negative 3 with special conditions (work in the buffer zone which does not require notice of intent and attach special conditions) for 184 Holliston Street, seconded by Mr. Murphy. Unanimous.

13 Ash Lane – Proposal for construction of 3 Seasons Porch (16' X 16') and deck (8' X 7.5') – Motion made by Mr. Travalini to continue 13 Ash Lane to the August 14, 2014 due to the fact that the applicant was not in attendance to present, seconded by Mr. McKay. Unanimous.

Public Hearings:

Continued Notice of Intent – 257 Village Street (DEP File # 216-832) – Proposal to install an e-one pump unit, force main, and sewer manhole structure.

Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-832) to the August 14, 2014 meeting at the request of the applicant, seconded by Ms. McKay. Unanimous.

Continued Abbreviated Notice of Resource Area Delineation - 102 Winthrop Street (DEP File # 216-821) – Mr. Travalini enquired if Mr. Allen was paid by the applicant for his services. Since this item has been on the agenda for a good period of time, he asked Ms. Graziano to wait for one more meeting and then make it clear to the applicant that they either attend the meeting or re-file at a later time.

Motion made by Mr. Travalini to continue 102 Winthrop Street (DEP File # 216-821) to the August 14, 2014 meeting, seconded by Ms. McKay. Unanimous.

Request for Certificate of Compliance:

- **8 Gable Way – Request for Certificate of Compliance – partial sub division** – This request is in reference to the work regulated by a final order of conditions issued to the applicant, Greg Coras. Ms. Graziano reported that condition 39 of the original order leads her to believe that the order of conditions was recorded on a wrong title. She recommended removing it since there is no wetland because of the crossing. **Motion made by Mr. Travalini to issue a Certificate of Compliance for 8 Gable Way, seconded by Mr. Murphy. Unanimous.**
- **2 Fern Path – Request for Certificate of Compliance- Single Family Home** – Conservation commission agent, Ms. Graziano made a site visit to the property. She reported that the driveway has been extended beyond the original markup approved by the CONCOM, there is considerable grading and the proposal is to install a shed. More work was done under the order of conditions that was originally approved by CONCOM. Property owner indicated to Ms. Graziano his willingness to seek approval for the driveway and he also expressed interest in adding a shed. Mike Narducci applied for the certificate of compliance since he is the original proponent of the notice of intent for the order of conditions. She said the certificate of compliance cannot be issued to someone who is not in compliance with the order. **Motion made by Mr. Travalini to deny the request for Certificate of Compliance for 2 Fern Path due to the fact that the site is not in compliance, seconded by Mr. Murphy. Unanimous.**

2 Fern Path – Amendment to the existing Order of Conditions – The current owner Paul Martin plans to extend the driveway which involves adding fill in the buffer zone. A shed will be added and the back area will be cleaned. She reiterated to the commission that the decision to be taken at this meeting is to determine whether this item should be treated as a new notice of intent filing or to treat it as an amendment of the existing order of conditions.

Motion made by Mr. Travalini to allow the applicant Paul Martin of 2 Fern Path to make an amendment to DEP # 216-0826, seconded by Mr. McKay. Unanimous.

Discussion Items:

- 1. 39 Alder Street Violation** – Ms. Graziano met with the property owner, Mr. Yorkis and found out that the fill is being removed from Williamsburg's way site to the Alder Street location. There is a by-law under Medway's general by-laws that restricts someone to remove materials without the selectman's permission from Medway. There is considerable amount of fill in the location. Since the fill was so enormous, Ms. Graziano measured the closest location of the fill pile. It is within 60 ft. of the wetland. Erosion controls have been placed as requested by Ms. Graziano. The site is stabilized and any piles within the buffer zone has been removed. She suggested issuing an enforcement order asking the property owner to provide a plan with all the wetland surveyed with the buffer zone, fill pile, and get them tested for total suspended metals, total metals, and VOC's.

Motion made by Mr. Travalini to issue an enforcement order on 39 Alder Street requiring that the fill on-site be surrounded by erosion control at all times, no new material can be brought into the property, no additional work can be performed on-site until a ANRAD has been performed which will confirm that the materials are foreign to the site, fill has been tested COM 97 testing) for metals and other contaminants such as VOC's, seconded by Ms. Murphy. Unanimous.

- 2. Williamsburg Way Site Visit** – This is another Poliokis development and Ms. Graziano made a site visit the week of July 14, 2014. She enquired about the erosion control line and storm water management system. She reported that filter fabric is provided on all catch basins and there is vegetation trimming in the storm water swales. Everything seems fine but close monitoring should be made on a regular basis.
- 3. Azalea Drive Violation** – Ms. Graziano received an anonymous phone call from Azalea Drive. The area in question is a storm water detention basin, a potential wetland and vernal pool and belongs to the town of Medway. Ms. Graziano made a site visit with the DPS Director, Mr. Tom Holder and found loads of landscaping material that has been dumped within jurisdictional areas and the town land. It has been determined that the owner of L.S. Jack Insurance, Walter Wasnewsky is dumping the material into this area. Ms. Graziano reached out to him both in person and via phone. He admitted to dumping 1-2 truckloads of material and also reported that everybody in the neighborhood dumps into the area. Ms. Graziano said that she received a phone call from Mr. Wazaduski informing that six truckloads of material was removed from the site. She will go back with Mr. Holder to check the area again. CONCOM members discussed placing signs on town property. Ms. Graziano informed the Commission that Mr. Holder believes that it will be an expensive option for the town to post signs on all town owned lands. Mr. Travalini said that the commission will be okay as long as the area is cleaned otherwise an enforcement order will be

issued. Finally Ms. Graziano will draft a letter to Mr. Wazaduski about the expectations of CONCOM with respect to cleaning the area.

4. **Village Street Canoe Launch Update** – Mr. Travalini and Ms. Graziano made a site visit. She reported that overall it is a good project. A 6” blow out occurred on the canoe ramp and the site is not completely stable due to the recent rains. Run-off is coming from around the parking area. Slopes along Charles River needs erosion control blankets and the area needs to be re-seeded in fall. There was discussion about having a rain garden area. It will be developed depending on the availability of funding. She suggested using the CPC monies to build the rain garden. Ms. Graziano will work with Mr. Holder to come up with a cost estimate.

Motion made by Mr. Travalini to add Charles River Village project to the agenda.

5. **Charles River Village** – Mr. Travalini reported to the commission that there is water flowing down Cherokee lane through the emergency entrance. Trees were cleared to make a second entrance per planning board requirements. He said the siltation control at the site is in poor condition. Though this project is outside the CONCOM jurisdiction with regards to the construction activity the fact that it is affecting the area under the CONCOM jurisdiction allows them to enforce some conditions. A double row of straw bales should be put in a B pattern. He suggested that the commission should recommend to the planning board to re-examine the storm water calculations. Ms. Graziano reported that she spoke with the site supervisor, John Coffi and she will be meeting with him to make a site visit. There are piles of rocks and water is flowing underneath the rocks and washing the soils. Silt fence and straw bales on top of the rock. She said the whole area needs to be cleaned out and redone. Mr. Travalini said that Medway town administrator, Ms. Kennedy should be informed of this issue.
6. **Conservation Office Changes** – Conservation Commission will have a new office. A Permitting Assistant will be made available to accept the permits for the departments. Office has been approved for file cabinets. Ms. Graziano reported to the commission that there are no meeting minutes available before 2011.

Motion made by Mr. Murphy to adjourn the meeting, seconded by Ms. Bosselman @ 8:48 P.M. Unanimous.

Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the July 24, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Request for Determination

184 Holliston Street

- WPA Form 1 date received July 8, 2014 for 184 Holliston Street
- Plant titled, “ Septic Design Plan in Medway, Massachusetts 184 Holliston Street” by Borderland Engineering Inc., dated July 2, 2014
- Letter from Borderland Engineering, Inc. dated July 18, 2014 titled, “Requested Addenda, 184 Holliston Street”
- Application Summary – 184 Holliston Street RDA-15-01

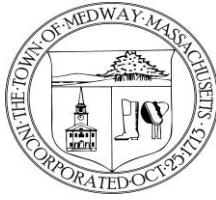
Request for Certificate of Compliance

8 Gable Way

- WPA form 8A dated received July 17, 2014 for 8 Gable Way
- Order of Conditions DEP 216-393 for 8 Gable Way

2 Fern Path

- WPA form 8A dated received June 3, 2014 for 2 Fern Path
- Request from current owner Paul Martin to Amend the Order of Conditions Letter dated July 18, 2014
- Plan titled, “Conservation Filing for No. 2 and 4 Fern Path Medway, MA 02053” by Lakeview Engineering and Associates with hand drawing, received by conservation office on July 23, 2014



MEDWAY CONSERVATION COMMISSION MEETING

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

7:30 P.M.

Minutes

August 14th, 2014

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on August 14th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Jen Bosselman, Ken McKay, Tony Biocchi, Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:35P.M.
- Motion made by Mr. Travalini to add Beaver Dam and comment on Winthrop Street discussions to the meeting agenda, seconded by Mr. McKay. Unanimous.

Meeting Minutes:

Motion made by Mr. Travalini to approve the July 24, 2014 meeting minutes as amended, seconded by Mr. Biocchi. Unanimous.

Motion made by Mr. Travalini to approve the July 10, 2014 meeting minutes, seconded by Mr. Biocchi. Ms. Bosselman abstained.

Request for Determinations of Applicability

13 Ash Lane – Proposal for construction of 3 Seasons Porch (16'x 16') and deck (8x 7.5') - replacement septic System – Present is Ms. Lisa Rankin, and Mr. Jon Rankin. Proposal is to convert the existing 12'x12' deck into a (16'x16') three season porch with additional footings. Ms. Graziano made the site visit and reported that the 25' markers are in place and the wetland line was re-measured during the visit. Area has flat topography and Ms. Graziano requested the applicants to have the spreaders at the end of the gutter dispersal. To an inquiry about having erosion control, Ms. Graziano said that it is not necessary since there is no construction equipment being brought in.

Motion made by Mr. Travalini to issue a negative three request for determination incorporating the mitigation measures listed on the conservation report dated July 11, 2014, seconded by Mr. McKay. Unanimous.

Public Hearings:

Request to Amendment Order of Conditions 2 Fern Path (DEP # 216-0826) for the construction of a shed and expansion of the original proposed driveway within the 100-foot buffer zone to Bordering Vegetated Wetland and Inland Bank- Ms. Graziano reported that this agenda item has a similar situation as 4 Fern Path that was discussed by the commission at an earlier meeting. Mr. Paul Martin, the applicant

was requested that driveway run-off shall be pitched away from the wetland resource to allow run-off to enter into the right side of the driveway. Few native plantings shall be made available around the shed along the erosion control line. She reminded Mr. Travalini that his item was voted as an amendment and the commission agreed that the applicant could make amendments to the order of conditions because the proposed project is minor in scope. Commission is voting to add conditions 36 and 37 for the plantings and directing the driveway run-off.

Motion made by Mr. Travalini to close the hearing on DEP # 216-0826, seconded by Ms. Bosselman. Unanimous.

Motion made by Mr. Travalini to amend the order of conditions for DEP# 216-0826, to add conditions 36 and 37 under the header of mitigation, seconded by Mr. McKay. Unanimous.

Proposed Amendments to the Medway Wetlands Bylaw Regulations – Amendments to Sections 1-8 – Pages 32 through 37 from the Medway Conservation Commission Rules and Regulations document were presented to the members at this meeting. Section 8.05 (fee scheduling for filing) has been changed and any other section after 8.05 has been moved down. With this change 8.06 will be coordination with other boards. This was 8.05 in the earlier version presented to the commission at an earlier meeting. These changes were made as part of preliminary discussions at open meetings with CONCOM. Approved fee structure from the town by-laws has been removed and moved into CONCOM by-laws. As per the by-law requirement these regulations have been advertised for three weeks. Night Board Secretary, Ms. Allam enquired if the regulations were posted on the Medway website. Ms. Graziano responded that they were made available in the town clerk's office and the CONCOM office.

Motion made by Mr. McKay to close the hearing for the Medway Wetlands Bylaw Regulations, seconded by Mr. Biocchi. Unanimous.

Motion made by Mr. Travalini to add section 8.05 and all the subsequent sub-sections as written and further add these to the Conservation Commission Rules and Regulations, seconded by Mr. McKay. Unanimous.

Motion made by Mr. Travalini to move the current section 8.05 to section 8.06, seconded by Ms. Bosselman. Unanimous.

Motion made by Mr. Travalini to move the current section 8.06 to section 8.07, seconded by Ms. Bosselman. Unanimous.

Motion made by Mr. Travalini to move the current section 8.07 to section 8.08, seconded by Ms. Bosselman. Unanimous.

Motion made by Mr. Travalini to move the current section 8.08 to section 8.09, seconded by Ms. Bosselman. Unanimous.

Continued Notice of Intent – 257 Village Street (DEP File # 216-832) – Proposal to install an e-one pump unit, force main, and sewer manhole structure- The applicant has formally requested to be put on the August 28, 2014 meeting.

Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-832) to 7:45 P.M. at the August 28, 2014 meeting at the request of the applicant, seconded by Ms. McKay. Unanimous.

Continued Abbreviated Notice of Resource Area Delineation - 102 Winthrop Street (DEP File # 216-821) – Ms. Graziano contacted Mr. Paul DeSimone and received a check from him. Mr. Allen has started work on the project. He reported that the plan needs to be re-done to mark the areas that are wetland areas. These were not de-lined on the earlier plan. This information was sent to Mr. DeSimone and Ms. Graziano needs clarification on his response. Mr. Allen will attend the CONCOM meeting after he receives the revised plans. Since there was wetland alteration, Ms. Graziano will make a site visit.

Motion made by Mr. Travalini to continue 102 Winthrop Street (DEP File # 216-821) to the August 28, 2014 meeting, seconded by Ms. Biocchi. Unanimous.

Request for Certificate of Compliance:

- **7 Iarussi Way DEP # 216-762 – A site visit has been scheduled for August 26, 2014.**
Motion made by Mr. Travalini to continue the request for certificate of compliance for 7 Iarussi Way (DEP File # 216-762) to the August 28, 2014 meeting, seconded by Ms. Bosselman. Unanimous.
- **25 Summer St (Lot#1 and Road) DEP # 216-790 – Construction of Single Family home with sub-division road and landscaping and utilities-** Present is attorney Paul Kenney representing the property owner Michael Fasolino (Fasolino Home Improvements). To an inquiry about her comments being addressed, Ms. Graziano responded that comment #'s 33 and 38 have not been addressed. #38, wetland bounds are currently between flags A10 and A11 but the commission recommends that it be placed at flag A12. The reason behind CONCOM requesting the granite bound to be at flag A12 is to help Lot#2 in showing the distance. There is a large boulder and the applicant, Mr. Fasolino has agreed to move the boulder. Ms. Graziano has not seen the boulder but has seen the bounds. Mr. Biocchi expressed that machine has to be brought in to dig the boulder out and this would cause more disruption. Mr. Travalini said that having the bound at A10 is fine. Condition #33 requires evidence of maintenance of the storm water management system to be provided to CONCOM before December 1st of each year. Ms. Graziano reported that she did not see any earlier reports in the CONCOM office. Mr. Faist from Faist Engineering responded to Ms. Graziano via email after speaking with Mr. Fasolino. Mr. Faist reported that no maintenance reports were submitted to the CONCOM during construction and his engineering firm was not contracted to conduct inspections. Planning Board's consultant, Tetrattech did conduct inspections and records of those reports could be requested for documentation purposes. Condition #33 will be valid for the life of the order/permit. Ms. Graziano asked if the street will be accepted by the planning board and Mr. Kenny replied that it will always be a private way. She asked as to who will be responsible for the storm water management. Mr. Kenny said that there is a requirement by the planning board for the home owners association that they follow and abide. Mr. Travalini said that an inspection of the storm water system will be done to check for silt and tidiness. Ms. Graziano said the position of the house and the as-built plan has changed and suggested that CONCOM should review. The size of the house has been shrunk in the buffer zone. The distance to the 25' no touch has significantly increased. It changed from 40' to 20' closer to the no-alteration zone. Commission. The limit of work has stayed the same. Since the house is in the proximity of the 25' no touch zone the applicant will have to come in front of the CONCOM to request for an amendment. Mr. Travalini suggested the certificate of compliance can be issued and an amendment can also be requested. To an inquiry about the stability of the area by Mr. McKay, Ms. Graziano responded that it

was stable and hydro seeded. Soft wood mulch has been put within the limit of work. Mr. Biocchi said that he did not notice anything abnormal enough to see the difference. Mr. Travalini reiterated that he does not have issues with the location of the bound but he is concerned about the current location of the house which is in a wrong spot. Mr. McKay and Mr. Biocchi said that they would be ok with approving the plan as presented.

Motion made by Mr. Biocchi to issue Certificate of Compliance for 25 Summer St (DEP # 216-790). Mr. McKay seconded and it was voted to approve 3-1.

Discussion Items:

1. **12 Canal Street tree cutting**– Ms. Graziano reported that she made calls but did not receive any response. Two trees were cut down and thrown into Charles River. It was identified that Ms. Nicole Hayes was involved in cutting the trees. Commissioners asked Ms. Graziano to issue an enforcement order.
2. **New Member Search**– Ms. Graziano enquired about the potential new member for the commission. Mr. Travalini replied that he spoke with Mr. Crowley who said that there is someone who is interested becoming a member.
3. **Azalea Drive landscaping dumping** – Ms. Graziano made a site visit after she was informed that six truckloads of landscaping was removed. She reported that was not the case. It appeared that someone backed into the grass but not into the wetlands. She physically did not see anyone dumping except for a police dispatch from a resident complaining about dumping on town land. Mr. Travalini expressed that it good that someone is keeping an eye on this activity. Mr. Travalini asked Ms. Graziano to issue an enforcement order for this property.
4. **Ratify / Sign Enforcement Order 39 Alder Street**– Commission at July 24, 2014 meeting voted to issue an enforcement order to 39 Alder Street for fill within the buffer zone. The enforcement has been drafted by Ms. Graziano. There was specific discussion about delineating the wetlands and the commission wanted an ANRAD filed. Any fill within the jurisdictional areas requires sampling, property owner shall hire environmental consultants to collect soil samples and complete analytical testing of the fill materials from metal, VOC's, petroleum, semi- volatiles, etc. Wetlands need to be delineated. Any fill within the jurisdictional area should be tested. All copies of data should be presented to the commission one month from testing or publishing of the analytical data reports and results shall be tabulated and compared to the appropriate Massachusetts contingency plan. **Mr. Biocchi will not sign the order since he was not present at the meeting.**

Agent's Report:

1. **Village Street Canoe Ramp** – Mr. Travalini made a visit to the area on August 14, 2014. The boom is up and there was a washout into the river after the rainstorm on August 13th. The canoe ramp was built by the state. The siltation controls are working fine. A potential visit with the Medway DPS personnel was discussed. The water washes down from the road and collects on the ramp. Even if there are plantings in place, it will not stop from rain water collecting on the ramp. There is a possibility that with heavy rain storm might go over the grass. He suggested that where it is grass now, a berm can be built with plantings in and around it. That will stop most of the water going onto the ramp. If the berm is designed correctly, water could be funneled so that it goes off to the side where it is mostly wild. Plantings funds could be taken from the Conservation Trust Fund (CTF).

Mr. Travalini suggested that Friends of Choate Park or a Boys Scouts group can work on the project. Mr. Biocchi suggested that he would request Mr. Matt Fasolino to donate some plantings for the project.

2. **Review of Tri Valley Common Proposal (pre-filing)** – Ms. Graziano was asked by Suzy, the Medway town planner to provide comments on the pre-design site plan for tri valley commons. Her comments were announced at a meeting with the planning and zoning board. This meeting was attended by Mr. Biocchi. At the meeting there was some discussion about storm water on wetlands. Mr. Biocchi suggested multiple meetings with planning board considering the nature of the project which involves the opening a Firestone store. Ms. Graziano said that she made the comments not knowing the nature of the business in the project area. There is concern about spills on site. Ms. Bosselman added that under certain regulations depending on the amount of oil that will be stored on site, there needs to be a spill prevention countermeasure and control plan in place and it could be included in the order of conditions. Mr. Travalini said it could be a state requirement. Ms. Graziano said, for a site that could have a potential hazardous spill, a closed valve system is required for storm water. Mr. Biocchi added that among five businesses that are being proposed in the project area, three of them are auto businesses. Ms. Graziano said that CONCOM should be prepared for multiple meetings on this matter.
3. **Beaver Dam-** Ms. Graziano spoke with Dave D'Amico about the beaver dam issue. Mike Callahan agreed to write up the plan due to his familiarity with the site. Site visit has not been made yet. There was some discussion about the definition of a dam. Technically town of Medway has the right to clean the debris within the culvert.

Motion made by Ms. Bosselman to adjourn the meeting, seconded by Ms. Biocchi @ 9:15 P.M. Unanimous.

Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the August 14, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Request for Determinations of Applicability:

13 Ash Lane-

- Plan titled, “3 Season Porch addition Plan”
- WPA Form 2 – Determination of Applicability
- Medway CONCOM Findings and Conditions
- Application Summary for 13 Ash Lane

Public Hearings:

2 Fern Path (DEP # 216-0826)-

- Special Conditions- Amendment Order of Conditions
- Request letter from the applicant, Mr. Paul Martin
- Plan of the project area
- Application Summary for 2 Fern Path

Proposed Amendments to the Medway Wetlands Bylaw Regulations-

- Pages 32 through 37 from the Rules and Regulations of Medway CONCOM.

Request for Certificate of Compliance:

25 Summer Street-

- WPA Form 8A – Request for Certificate of Compliance
- Plan titled, “Lot 1 – As-Built Plan”
- Copy of an email between Ms. Graziano, Mr. Faist, and Mr. Fasolino dated August 12, 2014
- Application Summary for 25 Summer Street



MEDWAY CONSERVATION COMMISSION MEETING

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

7:30 P.M.

Minutes

August 28th, 2014

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on August 28th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Jen Bosselman, Ken McKay, Tony Biocchi, Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:30P.M.
- Motion made by Mr. McKay to add 25 Jayar Rd, informal discussion for a future proposal, seconded by Ms. Bosselman. Unanimous.

Meeting Minutes:

Motion made by Mr. Travalini to approve the August 14, 2014 meeting minutes as amended, seconded by Ms. Bosselman. Unanimous.

Request for Determinations of Applicability

1 James Street –Proposal to repair existing well and construct a shed/pump house – Present is the applicant, Mr. Kavi Siegel. Mr. Siegel presented the proposal for the construction of shed and pump house for well. He stated that there is a shallow well in the backyard of the property and it has been unused for 3-4 years.. He explained that the shed has been proposed to be built on a cement slab. The Commission asked the Agent to report on her site visit findings. The Agent reported that during the site visit on August 26, 2014, the wetland boundary was confirmed to be accurate, where it was determined that the limit of work is 34 feet from the Bordering Vegetated Wetland. The Agent's recommendations include erosion controls in the repair area along the 30ft. line, consisting if compost sock only due to the topography being flat. She recommended that cement for slab be hand mixed and the bought to the area of the shed or carried from the truck in the driveway to the site and all dirt shall be piled within the erosion control area. There was some discussion about the applicant revising the plan for a building a curb cut and access from Milford Street to the project area. However, the Agent noted this was within the buffer zone and would need to be added to the plan. The applicant agreed to revise the plan for the addition of the entrance way from Milford Street and submit for the next meeting of September 11, 2014.

Motion made by Mr. Travalini to continue 1 James Street to the September 11, 2014, seconded by Mr. McKay. Unanimous.

Public Hearings:

Continued Abbreviated Notice of Resource Area Delineation- 102 Winthrop Street (DEP File # 216-821) - Present is Arthur Allen from Eco Tec and Mr. Steve Dexter. Mr. Allen completed the review of the 14-5 & 8-20 Winthrop Street parcels. Mr. Allen reported that the plans are accurate. There was discussion about pre-cast old manholes. The Agent reported to the Commission that two have been pulled out and there is a tree growing in the other one. The Agent recommended leaving it rather than pulling it out to prevent disturbance. Mr. Allen and the Commission asked the Agent if the leaf piles were still within the wetlands, as this was asked to be removed by the applicant. The Agent stated that the leaf piles are still present. Mr. McKay enquired about the presence of vernal pools in the property. Mr. Allen reported about a vernal pool delineated on the plan. He said, there are no isolated wetlands or vernal pools outside of the delineated wetlands. Mr. Travalini enquired about the two areas in the submitted map that were not delineated in the original plan. He asked if they were reviewed and inspected. The Agent expressed concern about how the wetland flags were numbered on the plan in particular about flag 1 and 66. Her concern was that it does not show the end to the vernal pool. Mr. Allen said that it's all contained within the vegetated wetland. He reiterated that the recommendation would to not approve the flags for the vernal pool. Mr. Travalini asked the Agent to exclude the vernal pools from BPW flags V1 through V72 since they are not being verified. The Commission agreed to not include in the ORAD approval, Vernal Pool- V series (vernal pool) V #1 - #18; V #66-#71, connect V#1 to V #72; and wetlands extend beyond flags WF # 230 and WF #1033R and these additional wetlands were not reviewed or approved.

Motion made by Mr. Travalini to approve the BVW delineation for the plans dated revised August 20, 2014, verified by Arthur Allen's report from August 22, 2014, for all the BVW flags excluding the vernal pool flags V #1 - #18; V #66-#71, connect V#1 to V #72; and wetlands extend beyond flags WF # 230 and WF #1033R, seconded by Mr. McKay. Unanimous

Continued Notice of Intent – 257 Village Street (DEP File # 216-832) – Proposal to install an e-one pump unit, force main, and sewer manhole structure- Present is the engineer, Mr. John Spink with the applicant, Mr. Einis. Mr. Spink reported to the Commission that Chris Lucas of Lucas Environmental, the applicant's representative, spoke with DEP on this matter and received mixed responses on the validity of the wetlands delineation as it relates to this particular project. Mr. Spink presented an aerial photograph from 2006 – 2007 that showed the backyard that existed at that time. Drawing with lines overlaying the site was presented to the Commission. Green lines in the presented drawing are wetlands, 50 ft. and 100ft. offset. According to Mr. Spink, the house and deck are located correctly, he noted the lot has been dug up from the front. Mr. Travalini reiterated that the above mentioned facts were known to CONCOM for a long time but that it does not mean the area which the Commission considers wetlands was not altered from its previous conditions, after it was left fallow for some years. At the site visit the Commission determined that the wetland line is right behind the deck of the property which means that the 25ft. no touch zone is in the middle of the house or the driveway. Applicant is requesting to obtain a usable 35-40ft. backyard off the deck with lawn and permanent fence. Mr. Travalini asked if the applicant was specifically asking for converting 35ft. of wetland into lawn. Mr. Spink talked about arriving at a compromise where the property will have a decent backyard. He said the septic System needs to be replaced. Mr. Einis said that it is a reasonable proposal and said that he wishes to sell the property. Mr. McKay enquired about the rules on

previous disturbances. The Agent said that if the area was originally a lawn and it can remain a lawn. However, if the wetland scientist and CONCOM determine that the area is a wetland then it must be flagged as a wetland and treated accordingly. According to regulations, if wetlands are altered, then it has to be replaced 1:1 for every square foot altered. It was noted that the backyard may have been lawn at one time but there was an altered on the part of Mr. Einis and the area was not maintained properly and reverted to meadow. Mr. Travalini said that smoothing/grading a wetland is illegal and that Mr. Einis smoothed out the area in the property which was originally a wetland. Mr. Einis said that the property is totally unsaleable without the backyard. Mr. McKay said that it is very difficult to see that a wetland resource is compromised. Mr. Travalini reiterated that he is not willing to set a precedence in this matter by allowing the request made by Mr. Einis. The Agent addressed the option for replication. The Agent suggested that the septic tank be moved and tie the line in the front of the house. Members clarified that sewer is not an issue in this matter. Mr. McKay stated that if the State DEP agrees with Mr. Einis's proposal then the Commission would comply with their decision. Mr. Travalini said that a plan with valid wetland line should be submitted to the Commission in order for this to move forward. He talked about considering replication on the adjacent parcel in case the applicant's petition is denied. For a question on the impact on the sewer line, Mr. Spink said it depends on the location of the wetland line. He said if the wetland line is where the Commission thinks it is, then it will impact the sewer line. Mr. McKay said the CONCOM will need time to discuss this petition. Mr. Einis reiterated that he willing to make a compromise by giving up some area of the property in turn the Commission will let the applicant have the wetland line as it shows on the plan.

Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-832) to 7:45 P.M. at the September 11, 2014 meeting at the request of the applicant, seconded by Ms. McKay. Unanimous.

- **7 Iarussi Way (DEP # 216-762) – construction of single family dwelling, driveway, landscaping and utilities-**

Motion made by Mr. Travalini to continue the request for certificate of compliance for 7 Iarussi Way (DEP File # 216-762) to the September 11, 2014 meeting, seconded by Ms. Bosselman. Unanimous.

Emergency Certification –

- **Ratify Emergency Certification for installation of water flow device at culvert and limited breach for installation at 59 Winthrop Street-** The Agent reported that she met with Mr. Holder and Mr. Mike Callahan of Beaver Solutions on August 15, 2014 to review the blocked culvert. Mr. Callahan agreed that pipe could be installed with a trapezoidal fence to prevent the beavers from blocking up the culvert (water flow device). He requested a limited breach of the dam before the water flow device is installed. She noted that installation is scheduled for September 3, 2014. The Agent issued a Emergency Certification valid for 30 days to completed a limited breach for the installation of the water flow device. The Agent had a conversation with Laura from Fisheries and Wildlife to understand the definitions of dam and a beaver dam.

With the amount of water impounded, it could be considered a dam. She requested the Commission to agree with the issued permit and hence ratify it.

Motion made by Mr. Travalini to ratify the emergency certification for the installation of water flow device to breach the culvert at 59 Winthrop Street, seconded by Ms. Bosselman. Unanimous.

Discussion Items:

1. **Ratify/ Sign Enforcement Order 12 Canal Street** – The Agent reported that she issued an Enforcement Order of the cutting of vegetation along the Charles River and placement of that vegetation within the Charles River.

Motion made by Mr. Travalini to ratify the enforcement order to 12 Canal Street, seconded by Ms. Bosselman. Unanimous.

2. **New Member Search**– The Agent and Mr. Travalini did not have any update on this matter.
3. **25 Jayar Road Preliminary Discussion**- Present is the Mr. David Faist with the applicant Mr. John Solaris. Proposal is to build a shed to be used for tow truck storage and maintenance. An addition to the existing garage was made few years ago after seeking approval from CONCOM. Plan was submitted to the Commission with the 25ft. no-disturb and 100ft. buffer highlighted. In the current petition, the applicant proposes to build a 5000ft. building. Applicant is looking to confirm the orientation of the proposed building. Other than the CONCOM approval, applicant is looking for zoning and planning approvals. Mr. Heist eluded to the CONCOM by-law about the 75ft. no touch zone. Mr. Travalini expressed concern about the extent of impervious surface in the proposal and talked about run-off issues. Ms. Bosselman enquired about the use of the garage. Mr. Solaris said that the premises will be used for the maintenance of the trucks. He talked about the presence of a water separator in the existing building and said that the same approach will be used for the current proposal. Ms. Bosselman recommended having a spill tool kit, oil/water separator, and operation/maintenance plan for the separator to make sure that it's cleaned out periodically. The Agent said that if there is vehicle washing involved then there should be tight tanks in the building that needs to be cleaned periodically. A storm ceptor is suggested to remove hydro carbons and a shut off valve for the system. There was some discussion about letting the applicant work in the 25ft. no-touch zone. If the Commission denied the applicant to work in the 25ft no touch zone then the proposed plan would be to shrink the size of the building which will be 50x80ft or turn the building 90 degrees which will result in lesser storage space. Mr. McKay suggested that a site visit should be made after the plan is submitted.

Agent's Report:

1. **Village Street Canoe Ramp** – The Agent will make site visits with Ms. Tina Wright on August 29, 2014.
2. **Millstone Development Erosion Control Check**- The Agent completed a site visit on August 22, 2014. The Agent reported that she had provided a list of requirements to be completed in her last report after her site visit. This next visit was for a scheduled check on the conditions that were not in compliance. She noted that she had requested weekly reports

about phasing will be submitted as requested by the contractor. The Agent reviewed the outstanding conditions for compliance, Mr. Holder expressed concerns about the proximity of the erosion controls along the street to prevent run-off materials into the road and into the catch basins. Millstone Development was asked to re-evaluate with Mr. Holder and move the erosion control back after October 31, 2014. Mr. Graziano said that they might not comply with this approach. There is no concern about wetland lines and a special plan was requested with color coding for wetland lines. Mr. Travalini enquired the alternative of placing a second line of erosion control.

3. **Upcoming reviews 1 Sherwood Street-** Proposal is to alter a water course (intermittent stream) for the construction of a single family home. Property has changed hands within the family. The current owners plan to build a house after altering the intermittent stream.

**Motion made by Ms. Bosselman to adjourn the meeting, seconded by Mr. McKay @ 9:17 P.M.
Unanimous.**

Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the August 28, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Request for Determinations of Applicability:

1 James Street-

- WPA Form 1 – Determination of Applicability
- WPA Form 2 – Determination of Applicability
- Medway CONCOM Findings and Conditions
- Application Summary for 1 James Street

Public Hearings:

Continued Abbreviated Notice of Resource Area Delineation- 102 Winthrop Street (DEP# 216-821)

- Letter from Eco Tec, Inc Arthur Allen, “Wetland Resource Area Peer Review Final Report dated August 22, 2014
- Wetlands plan titled, “Wetlands Plan of Land in Medway, MA (Sheet 1 & 2)” by Colonial Engineering, Inc dated August 20, 2014

Continued Notice of Intent – 257 Village Street (DEP # 216-832)

- E-One Pump and Force Main Site Plan
- WPA Form 7 – Extension Permit for Orders of Conditions
- WPA Form 5 – Order of Conditions DEP #216-731 issued January 2007

Emergency Ratification:

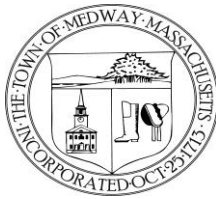
59 Winthrop Street-

- WPA Emergency Certification Form

Discussions:

Ratify Enforcement Order, 12 Canal Street

- Medway CONCOM Enforcement Order WPA Form 9 issued August 28, 2014
- Attachments for Medway General Bylaw Article XXI issued August 28, 2014
- Cover Letter titled, Medway Conservation Commission Enforcement Order, from Conservation Commission Agent Bridget R. Graziano dated August 28, 2014



MEDWAY CONSERVATION COMMISSION MEETING

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

7:30 P.M.

Minutes

September 25th, 2014

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on September 25th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Jen Bosselman, Ken McKay, Tony Biocchi, Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:30P.M.
- Mr. Biocchi arrived at 7:32 PM

Meeting Minutes:

Motion made by Mr. Travalini to approve the August 28, 2014 meeting minutes with changes as discussed at the meeting, seconded by Ms. Bosselman. Unanimous.

Request for Determinations of Applicability

1 James Street –Proposal to repair existing well and construct a shed/pump house

Present is the applicant, Mr. Kavi Siegel. Mr. Siegel presented the proposal for the shed and the pump house at the August 28, 2014 CONCOM meeting. He stated the additional proposal includes an access point from Milford Street, where the Department of Public Works (DPS) has required a paved 13 foot apron in order to eliminate impacts to Milford Street. Mr. Siegel presented to the Commission, the revised plan for the addition of the entrance way from Milford Street. He explained that the garden will be shifted slightly to accommodate the shed which will be built on part of the garden. The limit of work is 34 feet from the Bordering Vegetated Wetland. The Commission asked the Agent if the project would have any negative impacts on the wetlands and the Agent confirmed that there are no negative impacts on the wetlands. The Agent stated that she would not recommend approving the wetland line and recommended issuance of a positive 2b, 5 and negative 3 determination.

Motion made by Mr. Travalini to issue a positive 2b, 5 and negative 3 determination for 1 James Street, with additional conditions that:

1. Before the work commences the limit of work barrier will be established using compost sock (straw wattles, not permitted) to extend around the area of well that is to be repaired. Erosion control line will follow limit of work as marked on the plan titled, "1 James Street shed". Filter mitt may be used in the portion of the south side of the limit of work. The Conservation Agent shall be notified when this barrier is in place, prior to the commencement of any work, so that she may make an inspection.

The Conservation Commission reserves the right to require additional erosion and/or damage prevention controls it may deem necessary.

2. All cement for concrete pad for the shed must be hand mixed on site or carried from the cement truck (parked outside 100' buffer zone). At no time shall heavy equipment enter into the buffer zone.
3. Roof run-off from the shed shall not be directly discharged into the wetland resource and/or its buffer zone. Final inspection of the shed for roof run-off shall be conducted by the Agent or Conservation Commission.
4. All disturbed area within the 100' buffer zone shall be seeded post-construction. All seeded area must be established and stable prior to the removal of the erosion control line. The applicant must contact the Conservation Administrator/ Agent or a member of the Conservation Commission for approval to remove the erosion control line and review seeded area for establishment of vegetation, **seconded by Mr. McKay Unanimous.**

Mr. Biocchi arrived at 7:40 PM.

20 Charles Street – Proposal to construct a sunroom addition (12'x16') to the existing dwelling- Present is Mr. Todd Allen, representing the applicants Bob and Nancy Campana.

Mr. Allen presented the proposal to build a 12'X 16' sunroom off the west end of the property. Wetlands are located on the north side of the house. The proposed sunroom is approximately 39 feet off of the granite marker which in turn is 25 feet from the edge of the wetland for a total of 64 feet. Sunroom will be placed on eight footings dug by hand, materials removed from the holes will be placed in a wheel barrow and will be removed from the work site. Building materials will be placed at the side of the road away from the wetland area and moved into place when installed. There will be no additional run-off and downspouts will be directed into the existing rainwater irrigation system which is used to water the lawn. The Commission asked the Agent of any concerns with the project. Agent reported that a site visit was conducted on August 29, 2014. Typical items such as stock piling, run-off, and handling of materials were reviewed.

Motion made by Mr. Travalini to issue a positive 5 and negative 3 determination for 20 Charles Street with following conditions:

1. All proposed footings should be dug by hand and all concrete needed for footings must be mixed on site. At no time are cement trucks or any other vehicles approved to enter into jurisdictional areas.
2. All run-off from the new addition shall be tied into the existing irrigation system which pull all roof run-off into a septic tank for irrigation uses. Any alterations of jurisdictional areas shall be restored and the Commission shall be notified of the alteration immediately.
3. Any excavated materials which cannot be used shall be stored on site in a location outside of the buffer zone, or disposed of using best management practices. Construction materials and debris will remain out of the buffer zone at all times. There shall be no stockpiling of earthen material, no

refueling of equipment, and no storage of equipment in the 100' buffer zone before, during, or after construction.

4. Any areas within the 100' buffer zones shall be restored to previous conditions, lawn. These areas must be stabilized immediately after construction has ceased, **seconded by Mr. Biocchi.**

Unanimous.

60 Walnut Lane – Proposal to install an above ground pool and associated deck

Present is Ms. Joyce Hastings of GLM Engineering, Inc. the applicants consultant and Mr. Tarbox the property owner. Ms. Hastings presented to the Commission a proposal to construct a deck for an above ground pool within the 50-100 feet buffer zone. The above ground pool will be located behind the current dwelling attached by a deck to the existing deck. The entire pool and the deck will be built on the existing lawn and landscaping. The new deck will be built to allow access to the pool and will not extend beyond the northerly side of the pool. It will be located 55 feet away from the closest point of the wetland. Access will be provided from the existing driveway. Filter mitt/compost sock will be used as the erosion control barrier. The work for grading will include taking the grass and the top soil and leveling the area. There will not be any stock piling and any disturbed areas will be seeded. Ms. Hastings explained that there will be no backwashing since cartridge system will be used. In emergency situations, when the pool liner slices down to a low level and if the water needs to be drained, it will be drained through a pump truck. During any winterization procedures a skimmer will be used to close the pool instead of draining it. CONCOM member, Ms. Bosselman asked about the addition of chemicals to the pool. Ms. Hastings explained that the pool will be a chlorine pool with low level of chlorine. A Member inquired about the footings on the deck. Ms. Hastings responded that there will be footings placed into the ground for the deck. There will be some areas where stone will be put under the deck. It was noted that any water that comes down will go into the stones and will not run over the grass. The Agent reported that site visits were made twice. One of the site visit was with Ms. Hastings since there were two wetlands line shown. Soil test pits were conducted and the Agent confirms the wetland line.

Motion made by Mr. Travalini to issue a positive 2a and negative 3 determination for 60 Walnut Lane with the following conditions:

1. **Preconstruction Condition-** The applicant shall submit manufacturer's information regarding the use of a closed pool filtration system proposed to use. At a minimum, the filtering system shall not require "backwashing" or other discharges of pool water (that moves pool water anywhere on the property outside of the pool or filter system) be made for operation, cleaning, maintenance or repair of the system. The Commission and/or the Agent must approve the use of this system prior to construction.
2. Before the project commences, a limit of work barrier will be established using compost sock (straw wattles not permitted) and with the addition of silt fencing where the grading for the pool will take place. Erosion control line will follow limit of work as marked on the plan titled "Proposed Pool

Plan 6 Walnut Lane, Medway, Massachusetts” by GLM Engineering, dated September 10, 2014. The filter mitt may be used on in the portion of the south side of the limit of work. The conservation Agent shall be notified when tis barrier is in place, prior to the commencement of any work, so that she may make an inspection. The Conservation Commission reserves the right to require additional erosion and/or damage prevention controls it may deem necessary.

3. No direct or indirect discharges of pool water are permitted on the lot, including but not limited to discharges from routine pool maintenance, backwashing of pool filters and/or draining of the pool. Pool water must be managed within a closed system. Pool water requiring disposal shall be pumped into a truck and hauled off-site for disposal and/or otherwise removed and disposed of off-site in a legal fashion.
4. Any materials which cannot be used should be stored on site in a location outside of the buffer zone, or disposed of using best management practices. Construction materials and debris will remain of the buffer zone at all times. There shall be no stock piling of earthen material, no refueling of equipment, and no storage of equipment in the 100’ buffer zone before, during, or after construction.
5. All disturbed areas within the 100’ buffer zone shall be seeded post-construction. All seeded area must be established and stable prior to the removal of the erosion control line. The applicant must contact the Conservation Agent for approval to remove the erosion control line and review seeded areas for establishment of vegetation
6. All footings shall be hand dug and the cement shall be hand-mixed or carried from a wheel barrow from the cement truck. The cement truck shall be outside of the 100’ buffer zone, **seconded by Mr. Biocchi. Unanimous.**

Public Hearings:

Continued Notice of Intent – 257 Village Street (DEP File # 216-832) – Proposal to install an e-one pump unit, force main, and sewer manhole structure

Present is the engineer, Mr. John Spink with the applicant/property owner, Mr. Einis. Mr. Spink presented to the Commission the historic lawn line represented at the bottom of the presented plan. He explained that the proposal for lawn area is to come 15’ off the bottom of the deck and parallel with the back of the house, this will limit impacts to wetland resources. The proposed septic outflow will be underneath the concrete slab in the back of the house. The existing 1000 gallon failed septic tank will be abandoned. The outflow will be diverted sideways out towards the new proposed development to the west. New Septic line will be put across parallel to the back of the house. Proposal is to fence the area “B” on the plan and clean the area south of that which currently has a dumpster and other material. The Commission and Mr. Einis discussed that loam has not been removed but disturbed. Fence will be put across and minimal material will be removed and the area will be left as is. Area C and D on the plan will be a maintainable lawn and tree line. The driveway will be re-paved, landscaping and the lawn will be fixed. Any additional work after, under Conservation Commission’s purview, will be considered as a new wetland delineation and new order of

conditions. CONCOM Chairman, Mr. Travalini enquired about the proposed new development and the Agent reported that she was contacted by phone about the existing order of conditions on the property, seeking direction about moving forward with a new proposed project idea which is the construction of an assisted living community. A site visit by Conservation Commission has been scheduled for October 1, 2014 around 5:00PM. The Agent asked how the Conservation Commission would arrive to the findings if there is no agreement between the buffer zone and the wetland. The members reiterated that the site visit is important to make that determination.

Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-832) to 7:45 P.M. at the October 23, 2014 meeting at the request of the applicant, seconded by Ms. Biocchi. Unanimous.

Request for Certificate of Compliance

7 Iarussi Way (DEP # 216-762) – construction of single family dwelling, driveway, landscaping and utilities-

Motion made by Mr. Travalini to continue the request for certificate of compliance for 7 Iarussi Way (DEP File # 216-762) to the October 9, 2014 meeting, seconded by Ms. Bosselman. Unanimous.

25 Milford Street DEP # 216-722 and #216-811- subdivision proposal and roadway-

Present is Mr. Paul DeSimone. Mr. DeSimone stated that there were two open approved proposals for subdivisions but they have not been constructed. The properties have been re-configured and it will continue to stay as a single lot. The Agent reported that a site visit was made and confirmed that no work has been done. Mr. DeSimone requested the Conservation Commission to close the project with no action since the project never commenced for DEP# 216-722 and DEP3 216-811.

Motion made by Mr. Travalini to issue a certificate of compliance for 25 Milford Street (DEP File # 216-722 and #216-811) since the work never commenced, seconded by Ms. McKay. Unanimous.

Emergency Certification –

4 and 6 Holbrook Street – public safety threat hazardous tree removal

The Agent reported that both 4 and 6 Holbrook Street properties had hazardous trees that were touching and leaning over the existing single family home. The Agent made a site visit and requested the property owners to submit pictures. The Agent presented to the Conservation Commission an aerial view of the properties associated with the wetlands. The Agent stated that trees requested for removal at 4 Holbrook property are approximately 10' from the wetland. The trees will be cut and the stumps will be left in place. Both the properties will be using the services of the tree removal company, Stumpy's. The Agent reported that 6

Holbrook property had 3 *Acer rubrium* and 2 *Pinus strobus* trees leaning over the house and are approximately 10'-15' from the house. The three red maples are 6" in diameters and two pines are 12" in diameter and the closest point is 15' from the wetland. 6 Holbrook had red maple with 12" and 4" diameter trees. The Agent asked the property owners of 4 and 6 Holbrook properties to file after the fact Request for Determination of Applicability with the Conservation Commission.

Motion made by Mr. Travalini to ratify emergency certification for 4 Holbrook Street, seconded by Mr. McKay. Unanimous.

Motion made by Mr. Travalini to ratify emergency certification for 6 Holbrook Street, seconded by Mr. Biocchi. Unanimous.

Discussion Items:

- 1. 12 Canal Street Enforcement Order** – Present is Ms. Nicole Hayes, the property owner of 12 Canal Street Ms. Hayes presented an aerial view of the property and few other pictures from the site. She explained to the Commission that during a spring storm, one of the limbs of a large 12" diameter Box elder, three stock tree fell into the Charles River which abuts Ms. Hayes property. It pulled the rest of the tree from the bank. The limb was chain sawed which eventually fell into the river. The river was 6'-8' deep at that time. Due to the depth of the river, Ms. Hayes was unable to remove the limb from the river. She explained that her intention was to cut and remove the tree limb that fell into the river. Once it was cut, the limb fell into the river and Ms. Hayes was physically unable to remove it from the river. At the present time since the river is 6" – 12" deep, Ms. Hayes stated that she will be able to remove the limbs out of the water. The Commission discussed the state of the banks from any disturbance. MS. Hayes stated that the banks are completely vegetated and they were never disturbed. Ms. Hayes reported that she was asked by the Agent to come before the Conservation Commission before she completed any action to remove the fallen limb from the water. The Commission asked Ms. Hayes if she will be able to remove the limb without any help. She stated that the limb will be cut by hand into smaller pieces and removed. It was noted that a Conservation Commission member, Mr. Travalini and the Agent made a site visit on the other side of the property. There was discussion about different ways the fallen limb could be cut, removed and moved from the site efficiently. The Agent stated that the current enforcement order is to file the notice of intent for restoration. She asked if the order needs to be amended with the authority and direction provided by the Conservation Commission to Ms. Hayes for the removal of the fallen limb. The enforcement order will be amended to cut to allow the removal of the the branches and the wood from the bank and the river. The Conservation Commission asked Ms. Hayes to remove the limb from the river and the site by November 2014. Ms. Hayes stated that she will inform the Agent once the work has been complete and the Agent will make site visit to confirm the same.
- 2. DEP# 216-731 Extension to the Order of Condition typographical error 257 Village Street–**

The Agent reported that the Attorney for Mr. Einis property called her and stated that the extension to the order should be valid for a period of two years instead of one year and that this was possibly a clerical error. The earlier meeting minutes recorded that the order was issued for one year. Mr. Jeff Robinson is the potential buyer of the property who explained to the Agent that he has aplan is to

build an assisted living community. Mr. Robinson intended to come before the Conservation Commission to request an extension of the Order but this was discussed and decided against. The Agent recommended that a new Notice of Intent should be filed since the project is a new project and he cannot apply for a new project with an open Order. The Agent noted that Mr. Robinson might file for work never commenced for Certificate of Compliance for Mr. Einis's property and new notice of intent will be filed.

3. Gary Jacob presenting an update on American Chestnut Orchard

Mr. Jacob is a member of American Chestnut Foundation. He explained to the Commission that the foundation had been breeding American chestnut that resist the blight fungus. He explained that this work started at the national foundation in Virginia 15 – 20 years ago. State chapters were created and pollen was sent to different chapters. These pollen pollinate the mother trees and the nuts are harvested. There are thirty orchards in the state of Massachusetts. The orchard that Mr. Jacob manages on the Conservation land represent five mother trees. Out of 100 trees it is likely that two trees will develop resistance to the blight fungus. An agreement was made few years between the Conservation Commission and the orchard to use the Conservation land for this purpose. Mr. Jacob periodically appears before the Commission to give a status update. The nuts from the trees that have displayed resistance to blight will be planted in the other orchards. Biological and DNA tests are conducted on the trees as part of the process. Mr. Jacob agreed to accompany the Conservation Commission members in their site visit to the Choate Park on October 1st.

4. 39 Alder Street Enforcement Order Paul Yorkis

This item has been moved to the October 9 2014 CONCOM meeting at the property owners request through his Attorney.

- 5. Trails at Medway Athletic Fields-** The Agent made a site visit with Ms. Tina Wright, Mr. Jim Wickis and Mr. Mike Francis to look at the location and the plots of the new trail around the fields. The Agent reported that the trails were designed on someone else's property. She had requested the Town Hall to put a hold on the project. The Agent met with Mr. Tom Holder, Gale Associates, and few others from R.A.D Sports to discuss re-designing. There is a new proposed plan to install a grass swale, rip rap, and check dam to reduce /stop discharging of the field the storm water from both the fields into the trail. Planting plan approved by the Agent includes sweet fern, low bush blueberry, meadow sweet, and maple leaf viburnum. These plants will be planted in the areas where there has been lot of run-off. The Agent reported that trail will try to have itADA compliant.

Agent's Report:

Choate Park Vegetation management- Present is Mr. Fred Sibley. He described the existing conditions of the area at Choate Park where he explained a proposed plan to remove the invasives and vines and to prepare an area to plant a Sycamore tree in the buffer zone. It was explained that to prevent erosion, wood chips will be placed as soon as the vines and the invasives are uprooted. On the brook side of the project, there is access to wood chips. The Conservation Commission Chairman, Mr. Travalini and the Agent made a site visit on September 17, 2014. Mr. Travalini stated that there are natives and invasives in the area and reiterated that the CONCOM commission cannot permit the removal of native species and authorize the planting of the non-native Sycamore tree. There was some discussion about planting a few of the American Chestnut trees. Commission reiterated that one of the main functions of the Commission is to protect the

resource areas. Site visit has been scheduled for October 1, 2014 around 4:00PM. Mr. Sibley expressed his intention to plant the tree before the winter of 2014. Since the Town of Medway does not have procedures in place to allow certain general work, the Agent raised the question about the procedure Commission would be adopting if permission were to be given to perform the work in the buffer zone. Mr. Travalini stated that it would have to be done via a notice or request.

**Motion made by Mr. Travalini to adjourn the meeting, seconded by Ms. Bosselman @ 10:00 P.M.
Unanimous.**

Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the September 25, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Request for Determinations of Applicability:

1 James Street-

- WPA Form 1 – Request for Determination of Applicability
- WPA Form 2 – Determination of Applicability
- Medway CONCOM Findings and Conditions Summary
- Application Summary for 1 James Street

20 Charles Street-

- Medway Conservation Commission Findings and Conditions Summary
- WPA Form 1 – Request for Determination of Applicability
- WPA Form 2 – Determination of Applicability

6 Walnut Lane-

- Medway Conservation Commission Findings and Conditions Summary
- WPA Form 2 – Determination of Applicability
- Copy of the RDA (WPA 1form) including the proposed pool plan

Public Hearings:

Continued Notice of Intent – 257 Village Street (DEP # 216-832)

- Site work and conditions plan

Emergency Ratification:

4 Holbrook Street-

- WPA Emergency Certification Form

6 Holbrook Street-

- WPA Emergency Certification Form

Discussions:

12 Canal Street Enforcement Order-

- Medway CONCOM Enforcement Order
- Pictures from the site taken by the Agent and property owner, Ms. Hayes



MEDWAY CONSERVATION COMMISSION MEETING

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

7:30 P.M.

Minutes

October 9th, 2014

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on October 9th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Jen Bosselman, Ken McKay, Tony Biocchi, Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:30P.M.

Request for Determinations of Applicability

91 Village Street –Proposal to install a perimeter fencing and shed within the 25’ no alteration zone to an isolated wetland-

Mr. Sean Weddeke, the applicant and property owner, stated the proposed plan to build a fence along the perimeter of the back and side of the property and a shed approximately 12’X24’ on cement blocks in the yard by the garage. He noted that the reason for constructing perimeter fencing is that there is access to the river from the back of the property and he has concern for his children’s safety.

Mr. Weddeke continued to explain the reason for the proposed location of the fencing (which is within the 25 feet no-alteration zone) is because the applicant will have difficulty installing power to the shed if it was built in a location outside the 25’ no alteration zone. The Agent stated that a site visit was made on October 9, 2014 and reported that it’s an isolated wetland flagged which had been flagged as a wetlands for the addition on the dwelling in 2012. She reported that the proposed shed and fence is located 12 – 14 feet from the isolated wetland and is within bordering land subject to flooding. As a mitigation measure for the addition, the entire property had to be re-graded to provide the compensatory flood storage for BLSF. Therefore, the applicant must show that there will be no alteration (or addition of fill) to Bordering Land Subject to Flooding. Conservation Commission Chairman, Mr. Travalini inquired if there was any other location to construct the shed that would not require work within the 25’ no alteration zone, as this requires a waiver of the Bylaw regulations. . There was some discussion about alternative locations for building the shed other than within the 25’ no alteration zone. The CONCOM members stated that there needs to be a compelling reason to build the shed in the proposed location. The Agent reiterated to the Commission that a reason for waiving the Medway by-law to allow the applicant to build within the 25’ no alteration zone should be provided if the Commission decides to give permission to build the shed. Mr. Travalini stated that the filing should be for a Notice of Intent but not for Request for Determination of Applicability since the applicant proposes to alter land that’s under CONCOM’s jurisdiction. The applicant requested that the open Request for Determination of Applicability be approved for the installation of the fence only but not the shed. Mr. Weddeke agreed to submit a letter to the Commission expressing his intent to remove the request for building a shed, in order to have the request for installation of fencing to be permitted. The Commission

agreed that in order to better understand the proposed plan, a site walk has been scheduled on October 13, 2014 around 2:00 PM.

Motion made by Mr. Travalini to issue a negative request for determination for 91 Village Street, with the sole condition that the applicant submit a letter withdrawing the construction of the proposed shed from the plans, seconded by Mr. McKay. Unanimous.

Public Hearings:

Notice of Intent – 1 Sherwood Drive (DEP File # 216-839) – Proposal to construct a single family home and wetlands crossing-

Present is Mr. Paul DeSimone of Colonial Engineering, the applicants representative and the property owners Mr. and Mrs. Speiss. Mr. DeSimone stated that the owners met with the earlier CONCOM Agent, Karon Skinner Catrone. Ms. Catrone made a site visit and confirmed that there are no wetland issues involved with the property but agreed that the property owners would need to file a Notice of Intent for the proposed work. He noted that there is a 1 ft. deep swale is passing through the property. The current CONCOM Agent, Ms. Graziano made a site visit and confirmed that there are no wetlands on the property. The proponent's proposed plan is to install two 12" diameter pipes for the driveway crossing to the proposed single family dwelling. It was noted that a proposed single family dwelling, driveway, landscaping and utilities were proposed for this lot. Mr. DeSimone noted that straw wattles will be used to control sediment run-off. He noted that there is a possibility that the water table might be high on the property and it is unclear if there will be a basement or this will be on a slab. The Agent made a suggestion to relocate the driveway to the eastern portion of the property to avoid the bank crossing and asked the reason for the driveway crossing the jurisdictional areas. An abutter asked about the number of trees that will be taken down. The Agent stated that it's one of the questions included in the list of concerns given to Mr. DeSimone. The Agent stated that the limit of work is not shown in the presented plan and asked that revised plan must include the limit of work. The Agent also asked if the sewer and water crossings could be relocated if the driveway is relocated. The Agent noted that there is a jurisdictional resource located on this property, which the reason for this is filing and that this resource meets the definition of a bank under 310 CMR 10.54 of the Massachusetts Wetlands Protection Act Regulations. CONCOM Chairman, Mr. Travalini suggested make a site visit before any decision can be taken. A site visit has been scheduled for October 15, 2014 around 5:00PM. He then asked that Mr. DeSimone submit a plan that provides all the information requested by the Agent and the Commission during this meeting.

Motion made by Mr. Travalini to continue 1 Sherwood Drive (DEP File # 216-839) to 7:45 P.M. at the October 23, 2014 meeting, seconded by Mr. McKay. Unanimous.

Notice of Intent – 9 Howe Street (DEP File # 216-840) – Proposal to construct an addition to a single dwelling and new deck-

Present is the contractor Mr. Steve Poole of Lakeview Engineering the applicants representative with the applicant/property owner Mr. John Bonarrigo. The pProposed plan includes an addition in the rear of the existing dwelling. The existing deck will be demolished and a new addition and deck will be constructed. The Agent reported that the existing wetland location is approximately 63 ft. from the corner of the deck. It was noted that the 25 feet buffer passes through the existing shed. Any overnight parking or construction equipment will be outside the 100 feet buffer zone. The Agent reported that the applicant had answered her questions and that a revised plan has been submitted. The Agent stated that in addition to the proposed special conditions, some native plantings should be planted around the back of the shed as a mitigation measure for the lost area of the buffer zone.

Motion made by Mr. Travalini to issue an order of conditions for 9 Howe Street (DEP File # 216-840) as per plans with an additional condition that native plants be planted around the back of the shed (east side), seconded by Ms. McKay. Unanimous.

Request for Certificate of Compliance

7 Iarussi Way (DEP # 216-762) – construction of single family dwelling, driveway, landscaping and utilities-

Motion made by Mr. Travalini to continue the request for certificate of compliance for 7 Iarussi Way (DEP File # 216-762) to the October 23, 2014 meeting, seconded by Ms. Biocchi. Unanimous.

12 Canal Street

- **Amendment to the enforcement order – Ratify**

The Agent stated that her amendments the Enforcement Order of 12 Canal Street based on the discussion with the property owner at the meeting of September 25, 2014.

Motion made by Mr. Travalini to ratify emergency certification for 12 Canal Street, seconded by Mr. Biocchi. Unanimous.

- **Review compliance with Amended Enforcement Order-**

The Agent presented to the Commission pictures of 12 Canal Street. CONCOM Commission made a decision that the applicant, Ms. Hayes shall appear before the Commission next spring to provide a status update of the area. The Agent will email the applicant and inform her about the Commission's decision to close the order at that time after examining the extent to which the slope re-vegetates. Mr. Travalini stated that the Commission will allow Ms. Hayes to close the order earlier than that if there is a need to do so.

Discussion Items:

1. 39 Alder Street Enforcement Order Paul Yorkis –

Present is Mr. Phil Jack an Attorney representing Mr. and Mrs. Paul Yorkis. Mr. Jack stated that the property owners would like to discuss the enforcement order and said that Mr. Yorkis has every intention to stay compliant with the Conservation Commission process, policies and law. He was responsive when the Agent made the site visit. Mr. Yorkis did not understand why he was not asked to appear before the Commission before the Enforcement Order was issued. CONCOM member, Mr. Travalini stated that the order was issued because there was a violation. Mr. Jack explained that unloading the fill in the 100' buffer zone was unintentional and that the fill has been moved since the Agent's initial site visit. It's not clear if there is any violation at this time. CONCOM member, Mr. McKay stated that it is important to check the status of the buffer zone to make any determination. Mr. Travalini explained that the only legal access into the property will be through the filing of Notice of Intent. The Agent stated CONCOM's concern about the source of the fill. Mr. Jack stated that affidavits from Mr. Yorkis and the truck driver recorded under oath about the source of the filling (from Williamsburg way) will be submitted to the Commission. To Mr. Travalini's question about the pile in the property, Mr. Jack explained that the land will be sold for development purposes in the next few years and this fill was to assist in the possible development of the lot. Mr. Jack stated that a formal Request for Determination of Applicability will be filed with CONCOM.

Ms. Bosselman departed at 8:58 PM.

2. DEP# 216-792 Lot#2 Summer Valley Lane – Proposed amendment to approve plans under the Order of Conditions-

Present is Mr. Daniel A. O' Driscoll of O' Driscoll Land Surveying Co. representing the applicant, Michael Fasolino of Fasolino Home Improvements. A Notice of Intent Plan for Lot 1 and Lot 2 and an as-built plan for Lot 2 has been submitted to the Commission. The plan shows the location of the proposed dwelling and the as-built location of the dwelling built upon Lot 2. The as-built location of the foundation is super imposed over the proposed plan. Mr. Driscoll stated that a finger like piece of wetlands was discovered on the property when the project was built few years ago. Notice of Intents for both lots were filed at the same time and CONCOM issued an Order of Conditions for Lot 2 and withheld the conditions for Lot 1 pending the inspection of the lake piece on the property. The location of the foundation has moved to the north further from the wetlands and thus a minor amendment for Lot 2 Order of Conditions is being requested. The Agent stated that the Commission does not have to go through a formal procedure for a minor amendment under the regulations for Orders of Condition. The Agent requested the applicant to submit a letter to the Commission with the new plan and Order of Conditions. Mr. Travalini stated that the as-built plan for Lot 2 must be submitted with the original and revised date on the plan.

Motion made by Mr. Travalini to accept the amendment to DEP# 216-792 Lot#2 Summer Valley Lane upon receipt of a revised plan with the actual date, seconded by Mr. McKay. Unanimous.

3. Review of Conservation Restriction for Millstone Subdivision-

The Agent sent the Conservation Restriction document to the CONCOM members after making edits with the Town of Medway Legal Counsel. CONCOM member, Mr. Travalini's comments about signs were included in the document. The Agent reached out to the Millstone Developer's attorney to understand the meaning of signs under prohibited acts. Once the Commission completes its edits of the document, it will be sent to the Millstone Developer's attorney who further sends it to the Town Counsel. The Agent stated that the Commission should look into Native Wild Meadow Preservation field area. A preliminary review was made by the Agent and a recommendation was made that the area will be good for nesting birds. The agent will add to the document some of the language discussed on this topic and how the meadow area shall be managed.

4. **GIS grant status updates and vote to approve expenditure of funds from Conservation Trust Fund for Arc GIS-**

CONCOM was issued a grant to purchase Arc GIS license for the Conservation Office for a reduced cost \$400 dollars under the MACMAPP grant program with Environmental Systems Research Institute (ESRI). Commission needs to vote to expend the monies under the Conservation Trust Fund (CTF). Agent stated that the Commission could use the monies from the CTF and this fund could be used for any uses permissible under Massachusetts General Laws Chapter 48C and GIS is one of them.

Motion made by Mr. Travalini to approve the use of \$412.50 from Conservation Trust Fund to procure ArcGIS software and pay towards the training as needed, seconded by Mr. McKay. Unanimous.

Agent's Report:

Open Space Committee Meeting update-

The Agent met with the Open Space Committee to discuss few options where the Agent could get involved and help the Town of Medway with her skills on Conservation Land management and development. She reported that the discussion also included compiling all the open spaces in the town and prioritize them for management and functionality under the Open Space Plan. The Town of Medway purchased land with Community Preservation Act money and one of the requirements is that individual Conservation Restriction (CR's) be developed for the properties purchased. CONCOM member, Mr. McKay stated that the type of land use for the purchased land has not been determined yet. Open Space Committee received a notice from the State about requiring a confirmation on the type of land use. The Agent agreed to continue working with the Open Space Committee on development of plans.

Commission and Meeting operations-

The Agent reported that any electronic recordings of the meetings must be archived for a period of two years. After some discussion, it's been decided that future CONCOM meetings will not be recorded electronically. However, the minutes will be typed by the Clerk when the meeting is in session.

Choate Park and American Chestnut Grove update-

The Agent reported that there is no update on this topic. A picture from open space committee showing the tree obstructing the Charles River Canoe area was presented to the Commission. There was some discussion about different ways to remove the tree from the location and the means of payment. The Agent stated that the area is accessible in low flow conditions.

**Motion made by Mr. Travalini to adjourn the meeting, seconded by Mr. Biocchi @ 9:35 P.M.
Unanimous.**

Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the October 9, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Request for Determinations of Applicability:

91 Village Street-

- WPA Form 1 – Determination of Applicability
- WPA Form 2 – Determination of Applicability
- Medway CONCOM Findings and Conditions
- Copies of plans
- Application Summary for 91 Village Street

Public Hearings:

1 Sherwood Drive-

- WPA Form 3 – Notice of Intent
- NOI Wetland Fee Transmittal Form
- Copy of the deed
- Copies of Cashier's Checks
- Copy of MassDEP Waste Site Cleanup map
- Proposed Structure and Utilities Plan
- Application Summary for 1 Sherwood Drive

9 Howe Street-

- WPA Form 3 – Notice of Intent
- NOI Wetland Fee Transmittal Form
- Copy of Abutter Notification Document
- Copy of Wetland Impact Summary
- Application Summary for 9 Howe Street
- Aerial map
- Medway CONCOM Findings and Conditions
- Revised Plan

Enforcement Order:

12 Canal Street-

WPA Form 9 – Enforcement Order

Discussions:

39 Alder Street Enforcement Order

- Letter and Public Records Request from Paul Yorkis
- Conservation Commission response to the letter and Public Records Request
- Copies of certified mail receipts
- WPA Form 9 Enforcement Order with attachment
- Copy of Email exchange dated July 11, 2014
- Conservation Commission Site Visit Document
-

DEP #216-792 Lot#2 Summer Valley Lane-

- Notice of Intent Plan Lot1 & Lot2
- Lot 2 – As-Built Plan

Review of Conservation Restriction for Millstone Subdivision-

- Conservation Restriction Document

GIS Grant status updates-

- ESRI Quotation
- Executive Office of Energy and Environmental Affairs Letter

MEDWAY CONSERVATION COMMISSION



**Sanford Hall, Town Hall
155 Village Street, Medway, MA 02053
7:30 P.M.
Meeting Minutes
October 23, 2014**

Member Present: David Travalini, Ken McKay, Tony Biocchi, Jennifer Bosselman

Members Absent: none

Staff Present: Bridget Graziano, Agent

Guests: Arlene Sabin, Ryan Spiess, Jennifer Spiess, Katherine Fitzgerald, David Hobbs, Cheryl Hobbs, Jeanette Marston, Paul DeSimone, Matthew Sampori, Justin Peristone, John and Angela Sarneksy, Paul DiFronzo

Meeting Called to Order: 7:34 PM.

The Chair requested that the Agent add a section on the Agenda for a Commissioners reports to have members report on site visits dates and times when the Agent was not present. The Agent agreed.

Mr. Travalini asked if there were items or discussion that were not reasonably anticipated within 48 hours of the meeting being posted. There were none.

Meeting minutes

September 25, 2014 meeting minutes

The members reviewed the meeting minutes of 9/25/14. Ms. Bosselman corrected a section where Agent should be capitalized. The Agent requested to strike the second sentence in the 257 Village Street public Hearing section. The Commission agreed. Ms. Bosselman moved to accept the meeting minutes as amended. Mr. Travalini seconded and it was voted to accept 4-0.

October 9, 2014 meeting minutes

The members reviewed the meeting minutes of 10/9/14. Mr. Travalini moved to accept the meeting minutes as amended with the following amendments, deletion of line in discussion #2, “ The existing foundation is smaller than the proposed and 32 feet (approx..) for the wetlands. The existing foundation is 116 feet from the edge of wetlands.” Mr. Biocchi seconded and it was voted to accept 4-0.

Executive Session April 10, 2014 meeting minutes

Not reviewed

Public Hearings

Continued Notice of Intent – 257 Village Street (DEP File #216-832)- Proposal to install an e-one pump unit, force main, and sewer manhole structure

No one was present to represent the applicant. Mr. Travalini opened the hearing at 7:45PM. The Agent reported that Mr. John Spink requested the hearing be continued to the next available meeting in November 2014. Mr. Travalini moved to continue the hearing to November 13, 2014 at 7:45 PM.

Continued Notice of Intent (10/9/14) – 1 Sherwood Drive (DEP File #216-839)- Proposal to construct a single family home and wetlands crossing

Mr. Travalini opened the hearing at 7:46 PM. Mr. Paul DeSimone of Colonial Engineering was present to represent the applicant/property owners who were present in the audience. Mr. DeSimone presented the proposal to construct a single family home within the 0-100’ of jurisdictional resource known as Bank. He explained that there is a swale bisecting the property which carries upland water to Bordering Vegetated Wetlands and intermittent stream. Mr. DeSimone noted that the property owners have agreed to set aside a portion of their land for conservation purposes and protection.

Mr. Travalini asked about the foundation, and whether it will be a full basement or slab. Mr. DeSimone stated he does not have the answer to this question at this time. Members discussed erosion controls and the proposal for a “conservation restriction”. Mr. Travalini asked if the Agent has questions or concerns. The Agent noted that this donation of a portion of the parcel, should not be considered or referred to as a Conservation Restriction unless the applicant was truly proposing to go through the process associated with a Conservation Restriction. Mr. DeSimone asked if it could just be an area recorded and noted for no further development. The Agent agreed language could be drafted for this in the Order of Conditions.

Mr. Travalini asked for public comment. Mr. Sarneksy of 4 Sherwood Drive asked about the driveway location in proximity to his. The Commission was not aware of the location of his

driveway to answer this and it was noted that this is not wetlands related. The Agent noted this could be an issue when the property owners apply to DPS for a curb cut.

The Commission discussed that Mr. DeSimone had provided answers to all other questions requested by the Commission and the Agent at the October 9, 2014 meeting. It was noted that the applicant has made every effort to keep as many trees as possible and protect the bank during and post construction.

Mr. Travalini moved to close the hearing. Mr. McKay seconded and it was voted to close 4-0.

The Commission briefly discussed the special conditions for erosion controls, tree protection, and meeting the performance standard requirements for the Massachusetts WPA and Medway Wetlands Bylaw and Regulations.

Mr. Travalini moved that the Commission finds that the Commission hereby finds that the work proposed to construct a single family dwelling, utilities, driveway and landscaping within the 0' -100' buffer zone and alteration of bank for driveway crossing will have no adverse effects to the jurisdictional area known as bank under 310 CMR 10.54 and Article XXI of Medway General Bylaws, Regulations Section 3.01 as the applicant has shown there will be no restriction of any waters that flow from uplands areas to any stream and/or BVW or cause flooding post-construction, provided that the applicant complete all requirements under this Order for the protection of this resource. The applicant has presented sufficient evidence to demonstrate that the proposed activity will not cause any impacts to jurisdictional areas during or after construction through proposed implementation of protective measures and mitigation. Additionally, the applicant has provided evidence demonstrating that the proposed project will not impact any Interests of the Act or the Bylaw during or post-construction. The applicant has offered to plant vegetation surrounding the bank in order to provide protection of the Interests of the Act, construct portions of the driveway with pervious materials, and retain the maximum amount of vegetation possible within the 0-100' buffer zone to Bank. The Commission finds that the work can be conditioned to protect the Interests of the MA Wetlands Protection Act and the Medway General Wetlands Protection Bylaw.

Mr. Travalini added that the erosion controls in and near the Bank should consist of compost socks only to protect the Banks during construction. Mr. McKay seconded and it was voted to approve 4-0.

Request for Certificate of Compliance

- (continued from 8/14/14 and 8/28/14) **7 Iarussi Way DEP File # 216-762** – construction of single family dwelling, driveway, landscaping and utilities

The Agent reported that the property owner nor the proponent's representative have been in contact and the Agent has not had a final review of the site. Mr. Travalini voted to continue it to the November 13, 2014 meeting. Mr. McKay seconded and it was voted to approve 4-0.

Discussions

Discussion #1 – Tina Wright Amendment of Order of Conditions for Village Street Canoe Launch DEP #216 -0802

Ms. Wright of the Open Space Committee was present for the discussion. She introduced herself and explained she had been working with the Agent extensively on the Village Street Canoe Launch and other open space and trails throughout town. The Commission discussed and reviewed the Village Street Canoe ramp. Mr. Travalini reported there is erosion and that he and the Agent has visited the site. Ms. Wright asked if constructing a rain garden (as prescribed by the Agent), invasive species removal, and a place for a sitting bench. In addition, she mentioned the sight lines pulling out from the parking lot to Village Street. The Agent reported that DPS completed some tree removal for sight lines and it was better.

Mr. Travalini discussed protecting the west side of the bank of the Charles, the possibility of having the proposed Sycamore tree that was discussed with Fred Sibley. The Agent discussed the rain garden and plantings needed along with other supplies.

Ms. Wright noted that the Open Space Committee is the applicant and would like to request to amend the open Order. Mr. Travalini provided some information of how to manage for invasives. The Agent felt anything discussed at this meeting, except for plantings in landscaped areas would require an amendments. The Commission discussed this. The Agent agreed to general a possible planting list of native species and sent to groundscapes and ask Mr. Stella from Mass Boating if he can supply plantings.

Mr. Wright noted that she and the Agent had walked the old Briggs trails from the High School and review possible new trails connecting the new town parcels and other town open space. The Commission would entertain the idea. The Commission needs to see the area and review plans before making a decision. Mr. Travalini would like to see crusher run used for trails and thinks it stays well and does not erode. Ms. Wright reported that the proposed trails would be flagged after Saturday and a walk on Tuesday with the Town review group. The Agent will attend and members will try.

Discussion #2 – Request for Amendment to Order of Conditions for plans under DEP # 216-0827 Dover Lane Lot #2

Not discussed

Discussion #3- 12 Canal Street Enforcement Order

Ms. Hayes was present as the property owner and this discussion was taken out of order at 8:40 pm. Ms. Hayes presented to the Commission that she completed the tasks to remove the vegetation from the Charles River. The Agent confirmed this. She continued that she is worried

about having the Enforcement Order open on her property over the winter and would like the Commission to agree that she has met all the requirements of the Enforcement Order. Nicole removed the trees from the river. She has done what the commission asked. The Commission discussed the issues along the slope with erosion and questioned the “path like” area where it looked like someone had been walking this for quite a while. Ms. Hayes claimed the water came high during wet season and may have caused this issue. Although, the Commission disagreed with this assessment, they felt the worn path was not enough to keep the Enforcement Order open and all the requirements for the tree removal had been complied with. Mr. Travalini moved to lift the Enforcement Order issued, October 3, 2014 (amended) as the property owner completed all requirements under this Order. Mr. Biocchi seconded and it was voted to approve 4-0. Ms. Hayes requested a letter be sent documenting this vote.

Discussion #4 – Amendment to Athletic Fields at High School Proposed Trails

This was discussed at the meeting under #1.

Agent Report

- **91 Fisher Street (DEP #216-0383) deviation from approved plan, review in the field (field change)** - The Agent presented the applicants required for an amendment to the plan. She noted it was approved by her, as this was a small request that was made in the field and needed to be approved. The Agent explained that this minor change could be depicted in the Certificate of Compliance request on the As Built plan. The Commission agreed with the Agent.
- **3 Adams Street possible violation** - The Commission discussed possible addition of fill within a wetland resource. Commissioners, Travalini and Bosselman did not see any issues and Mr. Biocchi agreed. Mr. McKay explained the location of the possible addition of fill to a wetland resource was in a location near the trailer. The Agent agreed that she did not see anything but she was not looking in the location of the trailer. Mr. Biocchi agreed to investigate and get back to the Commission on the area with the trailer in the front of the property.
- **Site Visit at Transfer Station** – The Agent reported that she visited the Transfer Station at the request of the Police Chief for the review of a possible shooting range for the police. The area was mapped as Bordering Land Subject to Flooding, even though this area was the old dump and the grade has been altered significantly. The proposal for the shooting range would be to move large piles of compost into a rectangle for a shooting range, no additional impervious surface or construction. The area was outside of the Commission’s jurisdiction for all wetland resource but the BLSF. The Agent felt this area has been completely altered and would not further effect the BLSF. Ms. Bosselman was concerned about the police picking up the casings and bullets, as she has worked on site that had contamination from a shooting range. She agreed to complete some research on this so the Agent could caution the Police to pick up all casings and bullets.

Adjourn

Mr. Travalini moved to adjourn. Mr. Biocchi seconded and it was voted to approve 4-0. The meeting was adjourned at 9:21 pm.

Respectfully Submitted,

Bridget R. Graziano
Conservation Agent

Documents Presented at the October 23, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Public Hearing

Continued Notice of Intent (10/9/14) – 1 Sherwood Drive (DEP File #216-839)- Proposal to construct a single family home and wetlands crossing

- Notice of Intent with Supplemental forms, date stamped received by Conservation Commission on September 25, 2014
- “Proposed Structure and Utilities Plan of Land in Medway, MA” by Colonial Engineering, dated September 16, 2014 and revised October 21, 2014

Discussions

12 Canal Street – Enforcement Order

- Picture supplied by the Property owners
- Pictures supplied by the Agent

MEDWAY CONSERVATION COMMISSION MEETING



**Sanford Hall, Town Hall
155 Village Street, Medway, MA 02053
7:30 P.M.
Minutes
November 13th, 2014**

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on November 13th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Tony Biocchi, Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:32P.M.

Mr. Travalini asked if there were items or discussion(s) that need to be added to the meeting agenda. The Agent requested to add a discussion about a Police report that was received in connection with a violation at 2 Mayflower lane involving the dumping of asphalt into the wetland.

Motion made by Mr. McKay to add the above to the agenda, seconded by Mr. Biocchi. Unanimous.

Meeting Minutes:

October 23, 2014

Motion made by Mr. Travalini to approve the October 23, 2014 meeting minutes as amended at the meeting, seconded by Ms. Biocchi. Unanimous.

April 10, 2014

Vote to release and approve executive session meeting minutes of 4/10/2014-

Motion made by Mr. Biocchi to approve the April 4, 2014 executive session meeting minutes, seconded by Mr. Murphy. Unanimous.

Motion made by Mr. Travalini to release the April 4, 2014 executive session minutes, seconded by Mr. Biocchi. Unanimous.

Public Hearings:

Continued Notice of Intent – 257 Village Street (DEP File # 216-832) – Proposal to install an e-one pump unit, force main, and sewer manhole structure The Agent reported that Mr. Spink requested this hearing to be continued to the December 11, 2014 meeting at 7:45 PM.

Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-832) to the December 11, 2014 at 7:45PM meeting at the request of the applicant, seconded by Mr. Biocchi. Unanimous.

Request for Certificate of Compliance

7 Iarussi Way (DEP # 216-762) – construction of single family dwelling, driveway, landscaping and utilities – The property owner was not present at the meeting. The Agent reported to the Commission that she conducted a site visit with the representative Joyce Hastings of GLM Engineering. She found that some plantings were placed on the opposite side of the limit of work and found that soils had been thrown toward the wetland resource (down the slope). The Agent noted she has not heard back from the property owner or GLM on the matter but was requested to continue the review from GLM Engineering.. Ms. Hastings is in the process of getting the area cleaned before appearing before the Commission for the review of the Order of Conditions, compliance

Motion made by Mr. Travalini to continue the request for certificate of compliance for 7 Iarussi Way (DEP File # 216-762) to the November 25, 2014 meeting, seconded by Ms. Biocchi. Unanimous.

Discussions

New Discussion (unforeseen within 48 hours of the meeting) 2 Mayflower Lane in wetland resource area- The property owners of 1 Mayflower Lane reported to the police that asphalt has been dumped on the property at 2 Mayflower Lane. The Agent reported to the Commission that after some initial investigation, it was determined that the violation occurred on 5 Rob Way. She contacted David Newton, the property owner of 5 Rob Way. The firm responsible for the violation has agreed to clean up the dumped asphalt. Since the incident occurred in the wetland resource area, the Agent will make a site visit to assess the area and document the extent of violation. She noted that dependent on the extent of the violation, she may issue an enforcement order with steps required to clean up. If the violator is not responsive to remediation then the non-criminal ticketing procedure 21D will be issued.

Amendment to Athletic fields at High School Proposed Trails- Thomas Holder, Medway Department of Public Works (DPW) Director appeared before the Commission with Sean Boyd from Gale Associates to discuss the new location of the trail at the Athletic fields and the storm water issue on preliminary design of the east edge of the South field. They presented a revised plan showing the amendment (trail location) was

presented to the Commission. Mr. Boyd described the new trail location on the plan and noted the wetland line depicted on the plan in blue. The new trail hugs the tree line as indicated in the plan and comes close to 5-10 feet from the wetland line. Mr. Holder stated the trail in the original plan is located adjacent to the North field and the desire is to get away from the wetland area. There was discussion about leaving the trail in a natural state versus using crusher run or using a combination of both. Mr. Boyd stated that 5% slope requirements for trails to be ADA compliant. The Agent stated if the decision is to implement crusher run then care should be taken to see that material does not end up in the wetlands and recommended using orange fence around the limit of the work. The Agent stated that the Commission needs to amend the letter referencing the new plan.

Motion made by Mr. Travalini to accept the amendment as per the plans with an addition to condition #5 on the original order of conditions, the condition being that the trail shall be made with crusher run, seconded by Mr. McKay. Unanimous.

Mr. Holder and Mr. Boyd began discussions on the proposed changes to the areas where stormwater discharges from the existing stormwater retention basin. This was approved and discussed by the Commission in the original Determination, as there were requirements for cleanup of sediment from the buffer zone and wetland. Mr. Boyd noted that although the work for stormwater improvements is proposed for outside the Commission's jurisdiction there were effects to the buffer zone and wetland, therefore, the Commission is now involved in the proposal. Mr. Holder stated that the proposed new location of the trail is to divert the excess water from storm events to the other side so that the new trail is not eroded. Pipe size has been increased from 12 inches to 15 inches and will be directed through piping to a level spreader to reduce velocity. Under the existing conditions there are some erosion control issues. A swale will be created and the walkway from the trail will be graded back to the swale. Mitigation measures are being put in place to deal with the erosion control issue under existing conditions. The Agent stated that the basin on the south side of the field possibly needs maintenance/cleaning. The Commission discussed the original proposed plantings. Mr. Boyd reported that there will be 48 varieties of plantings within the swale. Mr. Holder stated that loam will be put in the swale and plantings will be done on the west side of it. Plantings near the parking lot will be put on hold until the next spring. The Agent questioned a new area of erosion that was discovered. About Mr. Holder stated that there was piping that has since been removed that he feels caused this erosion. Mr. Holder noted that there is additional loam available that could be used for other purposes.

Agent's Report:

Millstone Development Report- The Agent made a site visit. She reported to the Commission that currently there are two houses under construction. A stone wall in the front of the property, the retaining wall along the wetland, and stormwater detention basins have been constructed. This is a five phase construction spread out over the course of next few years. The storm water detention basin has been put in along with the retaining wall. Everything is seeded and the erosion control lines have held well. The Agent drafted email status reports to the contractor, the property owner, the Medway Planning Board and the Town Administrator. The catch basin nearby with silt sacks or filter fabric were checked and need to be cleaned, the Agent suggested this be checked more often. The Agent discussed with the Commission about a person who has been trespassing and cutting the orange fence line being cut every 50 feet which becomes the developer's problems for repair. She reported that at this time it is not an issue but it will be important as the development increases and weather gets snowier, as this allows for the operators to navigate on the site and

to understand where the limit of work or erosion control line is. The Agent's concern about the snow removal and degradation of the erosion controls is being properly addressed. The Agent mentioned that there was an issue with the erosion control line and an animal borrowing under the erosion control line. This would need to be fixed before the projects moves to a stage where they are working within this vicinity.

The Commission asked about issues with erosion controls and Vernal Pools. Mr. Travalini stated that the vernal pools if there are any must be staggered to let creatures such as salamanders to move easily through the erosion controls. He also added that large straw bale lines near the vernal pools should be created for easy migration of these creatures during spring time. The discussion included a topic on the Natural Heritage and Endangered Species Program (NHESP) and the requirement to file for Massachusetts Endangered Species Act (MESA). The Agent stated that a letter from the builder should be requested for the NHESP before the hearing closes. Mr. Travalini stated that this letter might not be mandated since the MESA requirement is a State regulation. There was discussion about any relevant regulation(s) that will give the CONCOM Commission the authority to put the project on hold if a vernal pool is present.

**Motion made by Mr. McKay to adjourn the meeting, seconded by Ms. Biocchi @ 8:30 P.M.
Unanimous.**

Respectfully submitted,

Sree Allam
Minutes Clerk

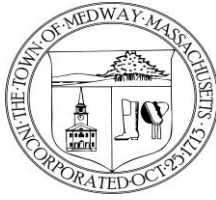
Documents Presented at the November 13, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Meeting minutes from April 4, 2014 Executive Session

Amendment to Athletic fields at High School Proposed Trails -

- Medway Conservation Commission Findings and Conditions Summary
- WPA Form 2 – Determination of Applicability
- Revised Layout Plans submitted by Gale Associates



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

6:00 P.M.

Minutes

November 25th, 2014

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on November 25th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Tony Biocchi, Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 6: 21P.M.

Determinations:

42 Hill Street – Proposal for replacement septic system- Present is Ms. Joyce Hastings of GLM Engineering Inc. representing Mr. Thomas DeNatale, the property owner of 42 Hill Street. Ms. Hastings presented to the Commission a proposal to replace a septic system within existing location of septic system at 42 Hill Street. The failing septic system was installed in early 1980's. The design standards of the system with a 25 feet over dig is not Title V permit compliant. The proposed new septic system will be built in the same location and the proposed tank will be built at the same location as the existing tank. The existing tank will be pumped dry and removed. The failed pipes will be removed. All the surrounding sand will stay in place. Excavation work will be kept at a minimum. Commission member, Mr. Travalini asked how the new septic system will compare with the existing system. Ms. Hastings responded that the new installation procedures calls for frequent inspections. Ms. Hastings eluded the Commission to the stock pile in the plan and reported that erosion control barrier will be placed around the stock pile. The finished area will be loamed and seeded. There will not be any change in grading. A site visit was made by the Commission member, Mr. Biocchi, and the Agent, Ms. Graziano. Mr. Biocchi asked if a perc test had been conducted and inquired about the level of the water table. Ms. Hastings reported that material under the septic system is not considered hazardous. The Agent stated that any significant change from the previous wetland delineation line should be shown in the submitted plan. The Agent stated that the erosion controls should be implemented with silt fence and compost sock around the limit of work and with straw bales around the stock piles. Since it is a short project, Ms. Hastings suggested using silt fence. Mr. Travalini stated that the erosion controls should be in place until the spring 2015. The Agent stated that all disturbed areas must be seeded and established prior to the removal of erosion control.

Motion made by Mr. Travalini to issue a positive 2b and 5 and negative 3 determination of applicability for 42 Hill Street with the conditions that the siltation control around the site consist of silt fence, filter mitt or filter sock with the temporary stock pile area to be surrounded by silt fence,

that the area shall be loamed and seeded after construction, siltation controls shall be removed once the lawn area has been established after inspection by CONCOM agent, seconded by Mr. Biocchi. Unanimous.

135 Main Street- Proposal for construction of new garage for commercial building- Present is the applicant, Mr. Todd Allen. Mr. Allen presented to the Commission his proposal that includes the construction of an addition to an existing garage and installation of a septic line. Mr. Allen stated that the wetland line on the neighboring property have been flagged. A site walk was made by the Commission member, Mr. Biocchi and the CONCOM Agent, Ms. Graziano. The Agent stated to the Commission that a brook that has been filled might have passed through the property from the Main Street to the wetland. There is a CONCOM permit from early 1980s that allowed the brook to be filled. CONCOM member, Mr. Biocchi stated that an orange construction fence should be used around the construction area. The Agent contacted the Massachusetts Department of Environmental Protection (DEP) about storm water qualifications. The Agent reported that no exemption shall be provided for this property as it is a commercial lot. The Agent reported that there is no reason to require the applicant to be held to storm water standards for this site, due to the size and the fact that there are no existing issues with stormwater. Therefore requiring more alteration in the buffer zone or distribution of stormwater into the wetland would have more adverse effects to the wetland then the existing conditions. The roof run-off for the back building must directed into a dry well which does not exist in existing conditions. Mr. Travalini stated that the dry well is not represented in the submitted plan. He asked that it be shown on the plan. The Agent asked Mr. Allen to extend the erosion control line and add the dry well in the plan.

Motion made by Mr. Travalini to issue a positive 2b and 5 and negative 3 determination of applicability for 135 Main Street with the additional condition that the plans must show the dry well and extended erosion control lines and that any other boards or commissions decide that storm water regulations need to be applied, the applicant shall appear before CONCOM with a vision to his plans or notice of intent, seconded by Mr. Biocchi. Unanimous.

Request for Certificate of Compliance

7 Iarussi Way (DEP # 216-762) – construction of single family dwelling, driveway, landscaping and utilities – Ms. Joyce Hastings of GLM Engineering Inc., reported to the Commission that the request for certificate of compliance was filed two years back. Ms. Hastings made a site visit of the property with the previous CONCOM Agent. At that time the lawn was established to the extent that it was with wisps of grass but it was not completely established. The application was re-filed in spring 2014. A site visit was made again by Ms. Hastings in spring 2014. She reported that the lawn is completely established and the limits are where they are expected. The as-built plan has been updated to reflect the bounds. Ms. Hastings stated that there is a small area where shrubs have been planted and some loam had been dumped over the edge of the lawn, outside the 25 feet but within 100 feet of the buffer zone. Ms. Hastings and the Agent, Ms. Graziano communicated with the property owner after the site walk. The property owner agreed and

implemented the changes requested. Ms. Hastings reiterated to the Commission that the above act by the owner of the property might not have any impact on the wetland line. The Agent agreed. There was discussion about the status of the earlier application. Ms. Hastings stated that two certificates of compliance are needed, one for the earlier application and the other for the current application filed in spring 2014. CONCOM member, Mr. Travalini suggested that this item be added to the December 11, 2014 CONCOM meeting agenda.

**Motion made by Mr. McKay to adjourn the meeting, seconded by Mr. McKay @ 6:51 P.M.
Unanimous.**

Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the November 25, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files

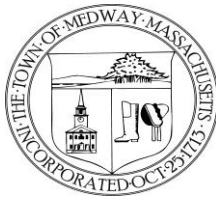
Request for Determinations of Applicability:

42 Hill Street -

- WPA Form 1 – Request for Determination of Applicability
- WPA Form 2 – Determination of Applicability
- Application Summary for 42 Hill Street
- Medway CONCOM Findings and Conditions Summary

135 Main Street -

-
- WPA Form 1 – Request for Determination of Applicability
- WPA Form 2 – Determination of Applicability
- Application Summary for 135 Main Street
- Medway Conservation Commission Findings and Conditions Summary



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

December 11th, 2014

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on December 11th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Tony Biocchi, Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:37P.M.

Meeting Minutes:

Motion made by Mr. Travalini to approve the meeting minutes from 11/13/2014, seconded by Mr. Biocchi. Unanimous.

Motion made by Mr. Travalini to approve the meeting minutes from 11/25/2014 with the proposed changes requested by CONCOM agent, Ms. Graziano, seconded by Mr. McKay. Unanimous.

Request for Certificate of Compliance

3 Summer Valley Lane (formally 25 Summer Street) DEP# 216-792 – Construction of Single family home

Mr. David T. Faist of Faist Engineering was present to represent Mr. Michael Fasolino of Fasolino Home Improvements, the property owner. Mr. Faist stated that the applicant is seeking a Certificate of Compliance for the construction of road for subdivision, storm water detention basin, and single family home, with associated landscaping, utilities, and driveway. The property closing is scheduled for December 19, 2014 and the project is complete. Mr. Travalini asked the Agent if she completed a site visit and if so please report. She reported that there is erosion present on the top of the slope due to the heavy rains in the area and the lack of vegetation for stabilization. Mr. Faist noted that the area has been hydro seeded but there is little trace of grass growing. The Agent presented photographs from her site visit. Mr. Faist explained that the swale as shown in the photographs will allow the detention pond to overflow. It's a measure to address potential detention storm water over flow issues. The Agent stated that the swale is eroding towards the wetland area because there is no vegetation growing. She suggested cleaning the rip rap area of leaves as well, this area is supposed to remove sediments from stormwater before entering into the wetland. CONCOM member, Mr. Travalini stated that a Certificate of Compliance cannot be issued since this area is within the 100 foot buffer zone and the erosion might continue into the wetlands. There was discussion about issuing a partial Certificate of Compliance to the house and the driveway. Mr. Travalini was in

disagreement to issue a complete Certificate of Compliance. Decision was made that a complete Certificate of Compliance may be issued in spring 2015 when there is evidence of grass growing in the disturbed area within the Commission jurisdiction.

Motion made by Mr. Biocchi to issue a partial certificate of compliance for DEP # 216-792 , 3 Summer Valley Lane, for the location of the house and the driveway, seconded by Mr. McKay. Mr. Travalini opposed.

7 Freedom Trail (DEP #216-669)- Construction of single family home and construction of subdivision

Mr. Peter P. Guerrieri, the current property owner and applicant was present. He presented to the Commission noting that he purchased the property in May 2013 in short sale, where he was made aware of the open Orders of Conditions with Conservation Commission by the seller's agent at the time of purchase. He continued to explain that he was reassured that all Conservation issues had been dealt with and cleared. Now, Mr. Guerrieri stated that he is in the process of selling the property and recently came to find that there are still two Orders of Conditions open, one for the construction of the single family home and the other for the construction of the subdivision. Mr. Guerrieri claims that he was of unaware of this. He reported that when doing research with the Agent that an application for a Certificate of Compliance was requested but had been denied in the past due to the absence of two granite markers. Mr. Guerrieri stated that the two markers were installed with the assistance of the Agent, once this was discovered. He requested a letter of partial compliance on the sub-division for just his lot and a complete Certificate of Compliance. The Agent stated the presence of a superseding Order of Conditions that DEP had issued on the property for the subdivision and it was found that a Certificate of Compliance has been issued for DEP# 216-650 (sub-division). She suggested issuing a partial Certificate of Compliance under the Bylaw because it was not clear there was no Bylaw findings for the Order of Conditions, this will enable the 7 Freedom Trail property to be removed from the sub-division Order under the Bylaw findings. The Agent reported that the property owners at her requested installed the granite markers, where she flagged the wetland resource and the locations of the granite markers for the homeowners. She noted that the house was not placed according to the sub-division plan and the driveway was proposed where the markers were proposed (as shown in the proposed plan). Due to its close proximity to Lot1, the 7 Freedom Trail property (Lot10) was pushed towards the wetland on the north side of the property. CONCOM member, Mr. McKay inquired if there were any impacts on the wetlands. The Agent reported no but that the house has been constructed closer to the wetlands than approved which now required the granite markers to be within an small area of lawn. She added that the lot there is a possibility that future proposed work may not be permitted as there is lawn right ip to the 25ft. buffer No-Alteration Zone.

Motion made by Mr. Travalini to issue a Certificate of Compliance for DEP# 216-669, with ongoing conditions 36 and 37; that the granite markers shall be kept in perpetuity, and not dump anything in the wetlands, seconded by Mr. Biocchi. Unanimous.

Motion made by Mr. Travalini to issue a partial Certificate of Compliance for DEP # 216-650 as per Medway by-law, seconded by Mr. Biocchi. Unanimous

104 Fisher Street – DEP File # 216-0802- Construction of roadway and storm water management area for subdivision

Mr. Andrew S. Rodenhiser was present as the applicant and property owner. CONCOM Agent, Ms. Graziano reported that she conducted a site visit on December 11, 2014. She reported that the storm water basin washed out into the basin, its side is eroded and the water is showing signs of turbidity. There is minimal disturbance and portions of the site are not stabilized. Ms. Graziano stated that there are no potential issues with the roadway and indicated that there is a possibility that the order of conditions might not have been recorded in the past. Mr. Rodenhiser suggested rip-rapping the slope in winter as an interim measure and seeding the area in the spring. The Agent suggested issuing a partial certificate of compliance for the roadway.

Motion made by Mr. Travalini to issue a partial certificate of compliance for DEP# 216-0802, 104 Fisher Street for the roadway only, with the understanding that the detention basin will be rip-rapped during winter and the issue of full certificate of compliance will be addressed in spring 2015, seconded by Mr. McKay. Unanimous.

7 Iarussi Way (DEP # 216-762) – construction of single family dwelling, driveway, landscaping and utilities

No one was present to represent the applicant. At the November 25, 2014 CONCOM meeting this item was on the agenda and was discussed with the applicant's representative from GLM Engineering, Joyce Hastings. There was discussion about two DEP #s associated with 7 Iarussi Way but only one DEP # for Order of Conditions had not been closed out. The Agent clarified that DEP# 216-689 was not added to the agenda because work associated with that DEP # never commenced and a Certificate of Compliance was already issued. For DEP# 216-762 the current home owner did some planting which resulted in piling of dirt on a slope towards the wetland. The Agent stated that there is no reason to believe that this dirt will move towards the wetland resulting in an alteration and the Certificate of Compliance should just be issued.

Motion made by Mr. Travalini to issue a certificate of compliance for DEP # 216-762, 7 Iarussi Way, seconded by Mr. Biocchi. Unanimous.

3 Cardinal Circle- DEP# 216-491 – Construction of a single family home

No one was present to represent the applicant. The CONCOM Agent, Ms. Graziano reported to the Commission that this request was made by Attorney Karen Jennings Flynn on behalf of the old seller of the property, Mr. Ralph Costello. Property has been sold and the existing order of conditions on the property have been accepted by the new owner. The Agent stated that there is some confusion about the Order of Conditions relating to the lot. She indicated a mistake in the order of conditions for the by-law portion where the lot is recorded as #4 instead of lot # 9, but that it is clear this Order of Conditions is related to the

construction of the single family dwelling at 3 Cardinal Circle. All the supporting documentation and approved Notice of Intent is for lot 9 (3 Cardinal Circle). The Agent requested the Commission to make the correction to the conditions pertaining to 3 Cardinal Circle and issue a condition to have markers in place, dirt pile be removed, pumpkins be removed in the 25 ft. buffer. She received a 21 day waiver from Ms. Flynn requesting the item to be continued to the next CONCOM meeting on January 8, 2015.

Motion made by Mr. Travalini to continue the request for Certificate of Compliance for (DEP # 216-491), 3 Cardinal Circle to January 8 2015 CONCOM meeting, seconded by Mr. McKay. Unanimous.

Continued Notice of Intent – 257 Village Street (DEP# 216-832) - Proposal to install an e-one pump unit, force main, and sewer manhole structure

Motion made by Mr. Travalini to continue (DEP # 216-832), 257 Village Street to January 8, 2015 CONCOM meeting, at 7:45P.M., as requested by the Applicant, seconded by Mr. Biocchi. Unanimous.

Emergency Certifications-

4 Homestead Drive – Request to remove hazardous trees

The Agent reported to the Commission about the presence of one three clustered Acer rubrum (red maple) that are 15 feet from wetland resource. There is concern that the tree might fall on the house due to its location and condition. The Agent issued an emergency Certification to cut the tree down. She stated that the stump will not be removed and no machinery will be brought in, the tree will be climbed and felled. Commission member, Mr. McKay enquired if any violation was made by the property owner. The Agent stated the presence of a small sitting area in the wetland.

Motion made by Mr. Travalini to ratify the emergency certification for 4 Homestead Drive, seconded by Mr. Biocchi. Unanimous.

Discussions

135 Holliston Street- Violation

The Agent reported that a certified letter of violation was mailed and another letter was hand delivered to 135 Holliston Street property owner. She reported the existence of another Enforcement Order issued in April 2010 for the same lot for clearing and filling 2700 feet of wetlands. On her site visit to 2 and 4 Fern Path lots, the Agent reported observing some organic and non- organic materials dumped within a wetland resource located on 135 Holliston Street. Additionally, there has been a number of trees removed from the wetlands and buffer zone.. A violation order was issued by Ms. Graziano requesting the property owner, Ms. Lynn Grady to appear before CONCOM. The Agent is scheduled to meet with Ms. Grady's son on December 12, 2014 to discuss the issue.

2 Mayflower Lane and 5 Rob Way dumping of asphalt and violation notice requirements

This item was on November 25, 2014 CONCOM agenda. A site visit was made by the Agent, Ms. Graziano. She reported to the Commission that the dumping of asphalt occurred on 5 Rob Way property and not on 2 Mayflower Lane. Mr. David Newton property owner of 5 Rob Way reached out to the Agent via email and expressed concern about significant dumping of grass clippings, leaves, and brush in the buffer zone on his property along Mayflower Lane. He made a request via the email memo to bring the issue to CONCOM's attention and seek its opinion on how to handle the matter. A decision was made that the Agent will write a letter to the owners of 1 and 2 Mayflower Lane noting this portion of the property is owned by 5 Rob Way and is within the jurisdiction of the Conservation Commission and therefore must be removed immediately. This letter will be sent on behalf of CONCOM explaining the violation. Mr. Newton will be copied on the letter. It is expected that Mr. Newton will report to the Commission about the status of cleaning.

DCR Recreational Trails Grant

The CONCOM Agent, Ms. Graziano reported to the Commission about a Department of Conservation and Recreation (DCR) Recreational Trails Grant with a 50/50 funding match. She stated it is a competitive process and her willingness to apply for the grant and stated that the match can be provided in kind which includes services by DPS. Grant could be used to purchase parcels to build trails, to install kiosks, anything parking related but should be associated with trails. CONCOM member, Mr. Biocchi enquired if trails have to be identified before applying for the grant. CONCOM Chairman, Mr. Travalini stated that Choate Park trail could be a potential candidate for some updates. Parking on Iarussi way was discussed as an option. CONCOM member, Mr. McKay suggested linking Iarussi Way to Adams Street to Medway High School as an option to consider. Mr. Travalini suggested seeking Ms. Tina Wright's advice.

Agent Report-

Need for new Commission member- The Agent reported to the Commission that Medway Town Administrator was contacted and informed of the need for a new CONCOM member. Information will be posted in the local newspaper and announced in meetings.

New WPA Regulations 310 CMR 10.00 promulgated amendments- The Agent asked the members to attend a Wetlands Protection Act Regulations workshop in Bellingham, MA. There was some discussion about the amendments in the regulations. The Agent discussed the amended stream crossing standards for new culverts and replacements. Any new crossings will have to meet all the standards in the regulations. The Agent also reported the changes in standards for abutter notifications. For a project like an access road or a sub-division that's over a 1000 linear feet, abutters within 1000ft of the project must be informed.

Conway School of Design for Land Management proposal- The Agent reported that she has been working with Ms. Tina Wright of the Open Space Committee and Community Preservation Committee on the proposal. It will go in front of Community Preservation Committee (CPC) in January 2015.

**Motion made by Mr. Travalini to adjourn the meeting, seconded by Mr. McKay @ 9:25 P.M.
Unanimous.**

Respectfully submitted,

Sreelatha Allam
Minutes Clerk

Documents Presented at the December 11, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Request for certificate of compliance:

3 Summer Valley Lane (formally 25 Summer Street) -

- WPA Form 8A – Request for Certificate of Compliance
- Application Summary – 3 Summer Valley Lane
- Faist Engineering, Inc. request letter for Certificate of Compliance with attachment (photographs)
- WPA Form 5 – Order of Conditions for 25 Summer Street

3 Cardinal Circle -

- WPA Form 8A – Request for Certificate of Compliance
- Application Summary – 3 Cardinal Circle
- WPA Form 5 – Order of Conditions
- Plot Plan of 3 Cardinal Circle

7 Freedom Trail (DEP #216-669)-

- WPA Form 8A – Request for Certificate of Compliance
- Application Summary – 7 Freedom Trail
- WPA Form 5 – Order of Conditions
- Copy of Mortgage Inspection Plan
- Copy of Lot Development Plan for 10 Freedom Trail

104 Fisher Street-

- WPA Form 8A – Request for Certificate of Compliance
- Application Summary – 104 Fisher Street
- WPA Form 5 – Order of Conditions
- Copy of As-Built Plan

Discussions:

135 Holliston Street-

- Aerial Photograph
- WPA Form 9 – Enforcement Order
- Copy of the letter on behalf of CONCOM

2 Mayflower Lane and 5 Rob Way dumping of asphalt and violation notice requirements-

- Copy of Site visit
- Email copy from Mr. David Newton (owner of 5 Rob Way)
- Copy of Medway Police Department Incident Report
- Aerial map and photographs