



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

September 24th, 2015

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on September 24th, 2015 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Brian Snow, Scott Salvucci, Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

Discussions

- Meeting was called to order at 7:35 P.M.
- Conservation Commission Chairman, Mr. Travalini asked the members of the board if there are any additional items to be added to the agenda.
CONCOM Agent requested to add Wickett Property appeal (DEP#216-0841) site visit with DEP.
A motion was made by Mr. Travalini to add this item to the agenda, seconded by Mr. McKay. All were in favor.
- **Approval of 07-23-2015 meeting minutes-**
A motion was made by Mr. Travalini to approve the meeting minutes from July 23, 2015 meeting as amended, seconded by Mr. Snow. All were in favor.

Request for Determination of Applicability-

- **9 Pond Street – RDA- 16-07- Proposal to construct a 10’x16’ shed within the 100’ buffer zone to BVW’s and an intermittent stream-** The applicant Ms. Amy Ficorilli was at the meeting. The proposed shed will be built on the existing lawn, 31 feet from the BVW wetland, 41 -45 feet from an intermittent stream. Shed will be built close to the garage making it easier to transfer materials. Compost sock will be used for erosion control.
A motion was made by Mr. Travalini to issue a negative 3 and positive 5 determination of applicability for 9 Pond Street, with the conditions that before the project commences a limit of work will be established using a compost filter mitt; CONCOM Agent will inspect the site prior to the commencement of the work, there shall be no stockpiling of earthen material and no refueling of equipment shall occur within the 100’ buffer zone, the disturbed area shall be

seeded post construction, the applicant must contact CONCOM agent for approval to remove erosion control, seconded by Mr. Snow. All were in favor.

- **23 Maple Street (RDA- 16-08) – Proposal to construct an addition to an existing single family dwelling-** The applicant, Mr. Tom Gay was at the meeting. Proposal is to build an addition to the existing dwelling (built in 1840) within Riverfront of Chicken Brook. The edge of the BVW is 95 feet from the back of the house and the river is 180' in total from the back of the house. Ms. Graziano conducted a site visit. She noted that the proposed addition is 60' from the intermittent stream. Mr. Travalini stated that erosion controls should be put against the intermittent stream. **A motion was made by Mr. Travalini to issue a negative 3, and positive 5 determination of applicability for 23 Maple Street, with the conditions that the erosion controls be inspected prior to the start of the work, silt fence and straw bales shall be used for erosion control, CONCOM Agent will conduct an inspection before work commences, all excavated materials shall be stock piled, no re-fueling of the equipment within the limit of work is allowed, disturbed area shall be seeded post construction, CONCOM Agent shall be contacted before the removal of silt fence and straw bales, seconded by Mr. Snow. All were in favor.**
- **5 Brookside Road- Removal of trees within the Riverfront Area of Chicken Brook-** The applicant, Mr. William Goodwin was at the meeting. There are large 15' white pine trees in the property (abutting chicken brook) with large trees growing adjacent to each other. There is a concern that the trees might separate and fall on the property. CONCOM Agent issued an emergency order approving the removal of the trees. **A motion was made by Mr. Travalini to issue positive 5, negative 3 determination of applicability for work already completed at 5 Brookside Road, seconded by Mr. Snow. All were in favor.**

Certificate of Compliance-

- **27 Charles Street – Request for COC for Order of Conditions DEP 216-0853- Proposed addition to single family home (work never commenced)-** **A motion was made by Mr. Travalini to issue a Certificate of Compliance for DEP# 216-0853, for the reason that work never commenced, seconded by Mr. Snow. All were in favor.**

Public Hearings

- **Continued Public Hearing#1- 272 Village Street (DEP# 216-855) (Village Estates)-Proposal to construct a duplex and complete grading within the riverfront area-**

Mr. Daniel J. Merrikin from Merrikin Engineering was present at the meeting. Sub-division was approved recently. Necessary approvals obtained from Medway Zoning and Planning Boards. There is a stream within the project limits. It appears on the USGIS maps as an intermittent stream and is dry under current conditions. Run-off from Lot1 drains into the neighbor's yard. The applicant will regrade the backyard (existing lawn within the riverfront area) to minimize runoff into the adjacent property which is downhill of the applicant's property. Additional loam and seed will be brought in to complete the work. Lot2 (where a duplex will be built) is within the BVW. Applicant has special permit from Zoning Board to build a duplex. The proposed project includes building two duplexes with two drive ways and roof run-off infiltration fields will be installed. Erosion Control will be provided along the limit of work. Concrete markers are proposed within the limit of work. Drainage issues were addressed in the sub-division drainage design. It was designed to accommodate the proposed development. The house will be built on grade. Siltation fencing and straw bales will be used for erosion control. Compost sock shall be provided on top of infiltration trenches. Stockpiling locations shall be depicted on the plans. Rip rap will be provided on the property line. An O & M plan will be maintained by the home owners association. Snow removal will be added as a condition in the Order of Conditions. No storage will be allowed in the buffer zone and storage locations shall be depicted on the plans. There was discussion about adding language for the protection of new infiltration basins in the Order of Conditions. Revised plans with the discussed changes will be submitted to the Commission at the October 8, 2015 meeting.

A motion was made by Mr. Travalini to continue DEP# 216-855 to October 8, 2015 meeting at 7:45PM, seconded by Mr. Snow. All were in favor.

- **Continued Public Hearing #2 Notice of Intent- 259, 261, 261R, 263 Village Street (DEP# 216-856)- Proposal to construct an adult retirement community consisting of one main residence building for medical care, 60 assisted living and 56 independent living residential units and 15 attached-**

A motion was made by Mr. Travalini to continue DEP# 216-856 to the October 22, 2015 meeting at 7:45 PM, seconded by Mr. Snow. All were in favor.

- **Public Hearing#3- Millstone Village 129-R Lovering Street proposal to construct roadway, stormwater management system, and 9 single family homes with associated utilities and landscaping-** Mr. Robert Truax from GLM Engineering Consultants, Inc. was at the meeting representing the applicant, Elite Home Builders, LLC. As-built plans were submitted for Planning Board's review. They were checked by peer-review consultants. At this meeting, plans were presented for Commission's review and discussion. Filing fees was paid for the nine units and roadway. The storm water calculations for the project are from 2007. Permits expired and the

applicant received a new approval from Planning Board in 2012/2013. Recharge systems shall be provided in the front portion of the units. Agent stated that the plans do not depict the snow storage and deicing storage locations. Protection details for catch basins are not depicted on the plans. She stated that silt sacs must be used for their protection. Erosion controls should be provided around all stockpiles and must be depicted on the plans. A condition is included indicating that stockpiles for more than a one day shall have straw bales and siltation fencing for erosion controls. Commission asked that granite bounds be placed behind 17- 36 number units. Revised plans with the location of bounds, structures, snow storage, and stockpiling will be re-submitted to the Commission. The storm water basins shall be cleaned periodically and will be included in the O & M plan. Commissioner, Mr. Snow asked for the revised plans to indicate proposed work that's been constructed Vs not constructed. Any structures that require new drainage calculations must meet the current regulations. **A motion was made by Mr. Travalini to continue Hearing # 3 - Millstone Village 129-R Lovering Street proposal to October 8, 2015 meeting at 7:45PM, seconded by Mr. Snow. All were in favor.**

- **Public Hearing #4- 27 Charles Street (DEP# 216-0856) proposal to construct a new single family dwelling and demolition of existing dwelling-** Mr. Robert Truax from GLM Engineering Inc. was at the meeting representing the applicant Mr. Stephen Forrester. A Certificate of Compliance was issued by CONCOM for this property for the reason that work never commenced. The new construction will be further away from Charles River. No work will be done in the flood plain. Driveway will remain gravel. For the roof run-off charging system will be in the back of the house. De-watering area will be provided if needed. Test pits were done and soil tests were conducted check the quality of ground water. Disturbances within 100' and 200' of the riverfront area both under the existing and proposed conditions will be provided to the Agent/Commission. Japanese Knotweed will be removed and a planting plan for the location will be made available. **A motion was made by Mr. Travalini to continue 27 Charles Street (DEP#216-0856) to October 8, 2015 meeting at 7:45PM, seconded by Mr. Snow. All were in favor.**

Discussions

Discussion #1- Amendment Review- 72 Main Street Tri Valley Commons (DEP# 216-0852) amendment to the plans-

A motion was made by Mr. Travalini to accept the amended plans for DEP 216-0852, seconded by Mr. Snow. All were in favor.

Discussion #2- 12 Diane Drive Enforcement Order alteration of 0-100' buffer zone of wetlands resource-

An enforcement Order was issued by Ms. Graziano on September 16, 2015. Mr. James LA Chance, property owner was at the meeting. He purchased the house in June 2015. Trees were cut in wetland resource area (in 25' no-touch zone) without informing CONCOM. He stated the trees were in poor condition and removed to have lawn. Mr. LA Chance was not aware of the presence of wetlands in the property. Commissioners stated that the wetland lines must be delineated and that a replication plan should

be submitted. Plantings should be made in the 25' buffer zone. All the above discussed items shall be implemented under the enforcement order.

Discussion # 3- Interview of Candidate for Open Commission Seat- Mr. David J. Blackwell, candidate for the open Medway CONCOM seat was at the meeting. An email request was made by Mr. Blackwell to the Board of Selectman expressing his interest to be a Board member. CONCOM Agent, Ms. Graziano explained the roles and responsibilities of the Commission and its members.
A motion was made by Mr. Travalini to nominate Mr. Blackwell for the vacant seat on the Board, seconded by Mr. McKay. All were in favor.

Discussion #4- (Denial) Order of Conditions for 257 Village Street (DEP# 216-832) - Proposal to install an e-pump unit, force main, and sewer manhole structure-

A motion was made by Mr. Travalini to issue a denial order for DEP# 216-832 referencing the document (MEDWAY CONSERVATION COMMISSION ORDER OF CONDITIONS DENIAL) dated 9-25-2015 for the reasons listed on the document with the additional reason # 16 being that there is an open enforcement order that was not addressed by the applicant, seconded by Mr. Snow. All were in favor.

Discussion#5- Vote to approve letter to Conway School for ecological Study at the Adams Street Management Area (formally Briggs Management Area) - Letter was signed/approved by the Commission.

A motion was made by Mr. Travalini to approve the letter to Conway School for ecological Study at the Adam's Street Management area, seconded by Mr. Snow. All were in favor.

Discussion #6- Review of Scope of Services of Engineering Firm for trails design- This item was not discussed at the meeting.

Discussion #7- Review Governor Baker's EO562 and draft letter-
Ms. Graziano will draft a letter with comments on behalf of CONCOM.

Agent Report-

- **17& 19 Millstone Drive – Review of RDA- 16-06 and site visit-**
- **Wickett Property appeal (DEP#216-0841) site visit-** Site visit is scheduled on October 8, 2015 at 8:30 A.M. Applicant requested that Mr. Art Allen (Wetland Scientist) accompany the site walk. The intent is for Mr. Allen to inspect a small portion of the wetland line. There was discussion about the appropriateness of Mr. Allen doing the site walk as his services are hired by Medway for the same project. Mr. Travalini stated that it is ok for Mr. Allen to attend the site walk on the condition that he

attends on behalf of the town. Commission agreed to hire his services to conduct the site walk with Ms. Graziano.

A motion was made by Mr. Travalini to authorize Ms. Graziano to hire Mr. Allen's services under Section 44G and to attend the site visit, seconded by Mr. Snow. All were in favor.

A motion was made by Mr. Travalini to adjourn the meeting, seconded by Mr. Snow@ 10:46 P.M. All were in favor.

Respectfully submitted,

Sreelatha Allam
Minutes Clerk

Documents Presented at the September 24, 2015 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Request for Determination of Applicability-

9 Pond Street – RDA- 16-07- Proposal to construct a 10’x16’ shed within the 100’ buffer zone to BVW’s and an intermittent stream-

- WPA Form 1 – Request for Determination of Applicability for 9 Pond Street
- Application to Conservation Commission dated 09-14-2015
- Medway Conservation Commission Conditions under the Medway General Wetlands Protection Bylaw for 9 Pond Street dated September 25, 2015
- WPA Form 2- Determination of Applicability for 9 Pond Street

23 Maple Street (RDA- 16-08) – Proposal to construct an addition to an existing single family dwelling-

- WPA Form 1 – Request for Determination of Applicability for 23 Maple Street
- Agent’s Application Summary for 23 Maple Street dated September 14, 2015
- Plan titled, “Plot of Land in Medway, MA” by Guerriere & Halnon dated July 2, 1997
- Plan titled, “Plot of Land in Medway, MA” by Guerriere & Halnon dated May 15, 1972
- WPA Form 2- Determination of Applicability for 23 Maple Street

5 Brookside Road- Removal of trees within the Riverfront Area of Chicken Brook-

- Meeting materials were provided at August 13, 2015 meeting

Certificate of Compliance-

27 Charles Street – Request for COC for Order of Conditions DEP 216-0853- Proposed addition to single family home (work never commenced)-

Public Hearings

Continued Public Hearing#1- 272 Village Street (DEP# 216-855) (Village Estates)-Proposal to construct a duplex and complete grading within the riverfront area-

- Agent's Application Summary for 272 Village Street dated September 2, 2015
- Plan titled, "Lot 1&2 Site Plan of Land in Medway, MA" by Merrikin Engineering, dated 9-2-2015
- Notice of Intent for Lot 1&2 Site Plan of Land in Medway, MA by Merrikin Engineering, dated 9-1-2015

Continued Public Hearing #2 Notice of Intent- 259, 261, 261R, 263 Village Street (DEP# 216-856)-

Public Hearing#3- Millstone Village 129-R Lovering Street proposal to construct roadway, stormwater management system, and 9 single family homes with associated utilities and landscaping

- Agent's Application Summary for 129-R Lovering Street, dated September 11, 2015
- Millstone Village Medway, MA" by GLM Engineering Consultants, dated October 15, 2013
- Notice of Intent to construct "Millstone Village Lot A-Winthrop Street Medway, MA", prepared by GLM Engineering Consultant, Inc. for Elite Home Builders LLC, dated September 7, 2015
- SWPPP for Millstone Village, by GLM Engineering Consultants, dated July 28, 2015
- Drainage Calculations for Millstone Village Medway, MA by GLM Engineering Consultants, dated October 15, 2013

Public Hearing #4- 27 Charles Street (DEP# 216-0856) proposal to construct a new single family dwelling and demolition of existing dwelling

- Agent's Application Summary for 27 Charles Street, dated September 14, 2015
- Notice of Intent, "To demolish the existing dwelling to construct a new single family dwelling at 27 Charles Street, Medway, MA" by GLM Engineering Consultants, Inc. dated September 11, 2015
- "Revised Site Plan, 27 Charles Street, Medway, MA" by GLM Engineering Consultants, Inc., dated September 15, 2015

Discussions

Discussion #1- Amendment Review- 72 Main Street Tri Valley Commons (DEP# 216-0852) amendment to the plans-

1. Site Developments Plans for "Tri Valley Commons", prepared by Bohler Engineering, revised through 9/4/2015
2. Copy of email from John Kucich to Ms. Graziano with subject, " 72 Main Street- Tri Valley Commons", dated September 08, 2015

Discussion #2- 12 Diane Drive Enforcement Order alteration of 0-100' buffer zone of wetlands resource-

1. WPA Form 9- Enforcement Order for 12 Diane Drive
2. Enforcement Order issued on September 16, 2015 by Medway Conservation Commission to James and Karen LA Chance regarding unauthorized alterations at 12 Diane Drive, Medway, MA

Discussion # 3- Interview of Candidate for Open Commission Seat-

1. Resume of David J. Blackwell
2. Letter from Mr. Blackwell to Medway Board of Selectman, dated September 13, 2015

Discussion#5- Vote to approve letter to Conway School for ecological Study at the Adams Street Management Area (formally Briggs Management Area)-

Letter (dated October 1, 2015) from Ms. Graziano to Kristin Thomas, Administrator, Conway School

Discussion #6- Review of Scope of Services of Engineering Firm for trails design-

Discussion #7- Review Governor Baker's EO562 and draft letter-