



## **MEDWAY CONSERVATION COMMISSION MEETING**

**Sanford Hall, Town Hall**

**155 Village Street, Medway, MA 02053**

**7:30 P.M.**

**Minutes**

**October 08th, 2015**

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on October 08th, 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**

- Call to order at 7:37 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.

There were none.

- Meeting Minutes-

*A motion was made by Mr. Travalini to approve the meeting minutes from August 27, 2015 meeting as amended by Ms. Graziano, seconded by Mr. Snow. All were in favor.*

### **Request for Determination of Applicability-**

**66 Oakland Street (RDA-16-09)** – Proposed work includes the installation of replacement septic system and abandon the old system. The existing septic system has a failed Title V. Proposed work is 31' (approx.) from Bordering Vegetated Wetland and all work is within the existing lawn. Site Visit was conducted on 9/25/2015 to confirm wetland boundaries. Agent reviewed and confirmed the boundaries. She stated that a limit of work barrier (using trenched silt fencing and filter mitt) shall be established before the work commences. Agent should be notified when the barrier is in place. There shall be no stockpiling of earthen material and no refueling equipment within the 100' buffer before, during, or after construction. All excavated material shall be removed from the site immediately and cannot be stored on site within the Commission's jurisdiction. All disturbed areas shall be seeded post construction. Erosion control shall not be removed before the seeded area is established. One 4"x4" granite marker (with letter "W") shall be installed along the wetland delineation line. The marker shall remain on site permanently.

*A motion was made by Mr. Travalini to issue a positive 5 and negative 3 determination of applicability with the following conditions:*

1. *Before the work commences, a limit of work barrier will be established using trenched silt fencing and straw bales. The Agent shall be notified when this barrier is in place, prior to the commencement of any work, so that she may make an inspection.*
2. *There shall be no stockpiling of earthen material and no refueling of equipment within the 100' buffer zone, before, during, or after construction. Equipment may be kept on site within the limit of work line only. All excavated material shall be removed from the site immediately. At no time may excavated materials may be stored on site within the Commission's jurisdiction.*
3. *All disturbed areas shall be seeded post construction. All seeded area must be established prior to the removal of erosion control, seconded by Mr. Snow. All were in favor.*

#### **Certificates of Compliance-**

- **97 Milford Street– Request for Certificate of Compliance for DEP 216-0843 for the proposal to install replacement septic system-**  
Applicants, Alex and Sonia Carneiro attended the meeting. Proposal is to install a replacement septic system. Agent made a site visit on October 5, 2015 and confirmed that wetlands bounds are at GC-3, GC-6, and GC-8A. She stated that erosion controls can be removed and seeded. Conditions # 10, 11, and 13 in the Order of Conditions shall be valid in perpetuity. The existing vernal pool in the property shall not be touched.  
*A motion was made by Mr. Travalini to issue a Certificate of Compliance for 97 Milford Street, (DEP# 216- 0843), seconded by Mr. Snow. All were in favor.*
- **7 Whitney Street – Request for Certificate of Compliance for (DEP 216-0656) for the proposal to install a septic system-** The existing septic system is from 2004. Agent made a site visit on September 25, 2016. Existing lawn extends to the wetlands and no work has been done beyond what is proposed.  
*A motion was made by Mr. Travalini to issue a Certificate of Compliance 7 Whitney Street (DEP# 216- 0656), seconded by Mr. Snow. All were in favor.*
- **22 Tulip Way – Request for Certificate of Compliance (DEP# 21-0583) for sub-division and (DEP #216-0604) for the construction of a single family dwelling-** Mr. Rich Schafer attended the meeting representing the applicant, Mr. Brad Hankin. Proposed work will include construction of a single family dwelling with septic system and landscaping. Site Visit was conducted on October 5, 2015 in the presence of the new property owner, Ms. Leana Finley. Agent reported there are wetland bounds at A4 and A6 (on plans), 25' measured in the field. Lawn encroached into the buffer zone (by 40') than originally permitted. Some plantings must be made in the buffer zone as mitigation measures. She recommended having the proposed plan and as-built plan over layed on the same set of plans. There was some discussion on the validity of the as built plan. Ms. Graziano will discuss the same with Mr. DeSimone.

*A motion was made by Mr. Travalini to issue a partial Certificate of Compliance for (DEP# 216-0583) Map75, Lot 001 22 Tulip Way, seconded by Mr. Snow. All were in favor.*

*A motion was made by Mr. Travalini to issue a Certificate of Compliance (DEP# 216-0604) with Conditions # 36 (No dumping shall be allowed within any wetland area on the project site or within 100' of the wetland boundary), and 37 (Two granite markers shall be placed at the edge of the 25' no-disturb zone. The markers shall be placed as shown on the plans, 25' off the wetland line opposite flags A-4 and A-6) remaining in perpetuity, seconded by Mr. McKay. All were in favor.*

## Public Hearings

- **Public Hearing #1- 59 Winthrop Street (DEP 216-08XX) Abbreviated Notice of Resource Area Delineation-**

*A motion was made by Mr. Travalini to continue (DEP 216-08XX) to the October 22, 2015 CONCOM meeting at 7:45 PM, seconded by Mr. Salvucci. All were in favor.*

- **Continued Public Hearing#2- 272 Village Street (DEP# 216-855) (Village Estates)-Proposal to construct a duplex and complete grading within the riverfront area-** CONCOM requested changes were addressed in the revised plan.

*A motion was made by Mr. Travalini to close the hearing on (DEP #216-855) 272 Village Street, seconded by Mr. Snow. All were in favor.*

- **Continued (9/24/15) Public Hearing #4- 27 Charles Street (DEP 216-0856) proposal to construct a new single family dwelling and demolition of existing dwelling-**

*A motion was made by Mr. Travalini to continue 27 Charles Street (DEP# 216-0856) to October 22, 2015 meeting at 7:45 PM, seconded by Mr. Snow. All were in favor.*

- **Public Hearing (9/24/15) #3- Millstone Village 129-R Lovering Street proposal to construct roadway, storm water management system, and 9 single family homes with associated utilities and landscaping-** Mr. Robert Truax, GLM Engineering attended the meeting. Members reviewed the revised plans and commented that the proposed infiltration chamber volumes were smaller than the standard sizes. Applicant was asked to re-work on the chamber sizes to bring up to the standard specifications. Names and model numbers of the chambers should be indicated on the plans and three recharge areas on the plans shall be revised. Mr. Truax stated that the project has a functional home owners association and the developer has already obtained the building rights. Home owners association will be responsible for the O&M plan and will help the contractor identify snow disposal area. Language indicating that snow plow contractors and landscapers were informed of the conditions and restrictions on the property must be included in the O&M plan. "No Snow Dumping" signage must be placed between Fieldstone and Millstone streets.

*A motion made was by Mr. Travalini to continue public hearing #3 to October 22<sup>nd</sup>, 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. Rob Truax, GLM Engineering attended the meeting with the applicant, Mr. Stephen Forrester. Hearing was closed at this meeting. Members stated that the submission date on the revised plans should be changed from 9/12/2015 to 9/23/2015. Change was made before members vote.

*A motion was made by Mr. Travalini to close the hearing on (DEP # 216-085), seconded by Mr. Snow. All were in favor.*

*A motion was made by Mr. Travalini to issue Order of Conditions for (DEP# 216-856) with the change that the date on the revised plans be changed from 09/12/2015 to 09/23/2015, and*

- ❖ *The Commission hereby finds that the work proposed for demolition of the existing single family home and then the construction of a new single family dwelling, new decks, and porches, expansion of driveway (gravel only, stormwater improvements )cultic chambers and infiltration swale), mitigation in the form of improvements for wildlife, riverfront area, and buffer zone, was presented at a public hearing where the applicant has presented evidence sufficient to demonstrate that the proposed activity shall have no impact on this wetlands resource and meets the provisions under 310 CMR 10.02 (2)(b) & (3), 310 CMR 10.05(4), and 310 CMR 10.57(4)(a) 1,2, 3, 310 CMR10.58(4)and Medway General Bylaw Article XXI Regulations and the performance standards under section 3.04 and 5. Additionally, the applicant demonstrated that the proposed work within the 0-100' of the riverfront area will be mitigated for in the form of native plantings and invasive species removal to meet performance standards under 310 CMR 10.58 (4).*
- ❖ *It was noted that all conditions of this Order must be met in order to meet the above mentioned provisions. The Commission additionally finds that the work must be conditioned to protect all interests of the MA Wetlands Protection Act and the Medway General Wetlands Protection Bylaw, seconded by Mr. Salvucci. All were in favor.*

## **Discussions**

### **Discussion #1- Update 72 Main Street Tri Valley Commons (DEP 216-0852) review of storm mitigation and issues with erosion controls-**

CONCOM Agent, Ms. Graziano made a site visit on 09/30/2015. Mr. Matt Dixon, Dixon Inc., attended the meeting. She reported that the issues that arose due to the storm have been addressed appropriately and there should not be any issues once the final berm is in place. However, during the visit some stormwater and erosion issues were identified. The main issue is with the stormwater infiltration basin holding a considerable amount of water. It is not equipped or stable enough to handle another storm. Mr. Dixon noted that a 20,000 gallon frac tank on site will pump out the infiltration basin until the tank is full. The onsite runoff will be directed into this basin during future rain events. Members expressed concern since the detention basins has no outlet. They stated that excess water should not be completely put back in the frac tanks. Mr. Salvucci recommended that a sum-pump system should be

installed that activates and pumps water out of the detention basin when it has reached a certain level. Mr. Travalini added that the excess water could be discharged into a swale. A site walk was scheduled for 10/10/2015 at 8:45 AM.

**Discussion #2- Review of new scope of work for the proposed trail system from Adams Street to Larussi Way-** Scope was drafted to develop a system of connecting trails on town owned properties. Goal is to build a trail between Choate Park and Wenakeening Woods in Holliston, MA. Draft scope describes the anticipated services from the selected engineering firm. Some of the services included conduct site visits, conduct wetlands delineation, prepare preliminary construction cost estimate, attend site meetings, etc. Proposed plan will be managed by Trail Design Task Force with members from Open Space Committee, CONCOM, Medway Public Services representative, CONCOM Agent, and up to two citizens. Mr. Travalini volunteered to be part of the Task Force. Ms. Graziano stated that the bidding process is complete and that three firms responded.

**Discussion # 3- Ratify the enforcement order and amended enforcement order of 12 Diane Drive-** Applicant, Mr. James LaChance attended the meeting. An enforcement order was issued to Mr. and Mrs. LaChance on September 16, 2015 due to the removal of vegetation and alteration of the 100' buffer zone of fresh water wetlands. Commission members stated that Ms. Graziano will provide a list of approved vegetation to be planted in the affected areas. Applicant was asked to submit a restoration plan for areas of disturbance prior to November 12, 2015 meeting.

*A motion was made was by Mr. Travalini to ratify the enforcement order issued on September 16, 2015, seconded by Mr. Salvucci. All were in favor.*

*A motion made was by Mr. Snow to ratify the enforcement order amendment issued on October 06, 2015, seconded by Mr. Salvucci. All were in favor.*

Agent Report-

- Conway School of Design Proposal Update- CONCOM received funds for the proposal.
- 165 Main Street Update- moved to next meeting.

**A motion was made by Mr. Travalini to adjourn the meeting @ 10:06 P.M., seconded by Mr. Snow. All were in favor.**

Respectfully submitted,

Sreelatha Allam

## **Documents presented at the October 08, 2015 Public Meeting**

All documents shall be kept in the Conservation Commission Office files

### **Request for Determination of Applicability-**

#### **66 Oakland Street (RDA-16-09)-**

- WPA Form 2, Request for Determination of Applicability for 66 Oakland St.
- Plan titled, “Septic Design Plan in Medway, MA, 66 Oakland St” by Borderland Engineering, Inc., dated September 21, 2015.
- Agent Application Summary dated September 25, 2015
- Medway CONCOM Order of Conditions for 66 Oakland Street.

### **Certificates of Compliance-**

#### **97 Milford Street– Request for Certificate of Compliance for DEP 216-0843 for the proposal to install replacement septic system-**

- WPA Form 8A – Request for Certificate of Compliance for 97 Milford St.
- As- Built titles, “Septic System As-Built Plan” by McIntyre Engineering dated September 18, 2015
- WPA Form 5- Order of Conditions for 97 Milford Street
- Medway CONCOM Findings and Order of Conditions for 97 Milford Street dated February 27, 2015
- Agent’s Application Summary

#### **7 Whitney Street – Request for Certificate of Compliance for DEP 216-0656 for the proposal to install a septic system-**

- WPA 5- Order of Conditions for 7 Whitney Street
- WPA Form 8B- Certificate of Compliance for 7 Whitney Street
- Agent’s Application Summary dated September 21, 2016
- As Built Plan titled, “ As Built Plan” by Shea Engineering and Surveying, Inc. dated August 25, 2004

#### **22 Tulip Way – Request for Certificate of Compliance DEP# 21-0583 for sub-division and DEP 216-0604 for the construction of a single family dwelling-**

- WPA Form 8B- Certificate of Compliance for 22 Tulip Way
- WPA Form 8A- Request for Certificate of Compliance for 22 Tulip Way, Lot 4
- WPA Form 5- Order of Conditions for Tulip Way, Lot 4

- CONCOM letter to Mr. Yorkis dated July 10, 2003, RE: DEP# 216-604, Tulip Way, Lot 4
- Agent's Application Summary for 22 Tulip Way (DEP# 216-0604) dated October 1, 2015
- CONCOM Order of Conditions
- As Built plan titled, "House#2 As built plan of land in Medway, MA" by DeSimone & Associates, dated 06/15/2001
- "Proposed Sewage Disposal System, Lot #4 Tulip Way" by GLM Engineering Consultants, Inc, dated January 28, 2002

## **Public Hearings-**

### **Continued Public Hearing#2- 272 Village Street (DEP# 216-855) (Village Estates)-Proposal to construct a duplex and complete grading within the riverfront area-**

- CONCOM Order of Conditions for 272 Village Street, Map 59 Lot 056 (DEP# 216-855)
- "Lot 1 and 2 Site Plan of Land in Medway, MA", by Merrikin Engineering, LLP, dated August 27, 2015, revised 09-25-2015.

### **Public Hearing (9/24/15) #3- Millstone Village 129-R Lovering Street proposal to construct roadway, storm water management system, and 9 single family homes with associated utilities and landscaping-**

- Stormwater Operation, Maintenance and Management Plan for "Millstone Village" Winthrop Street, Medway, MA prepared by GLM Engineering Consultants Inc. Dated 08-23-2006 (Revised: 02-03-2014, 07-22-2014, 09-30-2015).
- BMP location plan (dated 09-29-2015, Snow Storage plan (dated 09-29-2015), Grading & Utility plan (dated 10-15-2013) prepared by GLM Engineering Consultants Inc.

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

- Medway CONCOM Order of Conditions for 27 Charles Street (DEP# 216-0856), Map 67 Lot 75.

## **Discussions**

### **Discussion #1- Update 72 Main Street Tri Valley Commons (DEP 216-0852) review of storm mitigation and issues with erosion controls-**

- Copy of email between Ms. Graziano and Mr. Dixon dated 10-02-2015, RE: Site Visit 10/1/15- Tri Valley Commons.
- Special Report regarding 9/30 rain event dated 10—2-2015.
- Site Development Plans for Tri Valley Commons prepared by Bohler Engineering revised through 09-04-2015.

**Discussion #2- Review of new scope of work for the proposed trail system from Adams Street to Larussi Way-**

- Copy of the draft Scope of Services for Town of Medway- Link Trail (Revised: 09-30-2015)

**Discussion # 3- Ratify the enforcement order and amended enforcement order of 12 Diane Drive-**

- CONCOM transmittal to James & Karen LaChance
- WPA 9- Enforcement Order for 12 Diane Drive dated 09/16/2015
- Attachment to an Enforcement Order issued on 09-16-2015
- Attachment to an amended enforcement order issued on 10-06-2015.