



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

May 12th, 2016

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on May 12th, 2016 at Sanford Hall. In attendance were members Dave Travalini, Scott Salvucci, Brian Snow, David Blackwell, CONCOM Interim Agent Michele Grenier, and Sreelatha Allam, Night Board Secretary

- The meeting was called to order at 7:30 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.

Approval of Meeting Minutes-

Request for Determinations of Applicability-

- **13A Fisher Street (RDA-16-13)- Proposal to construct an in-ground pool within 25'-100' of a Bordering Vegetated Wetland-**

Mr. David Therrier attended the meeting representing the applicants. Proposal is to build a salt water pool in the fenced back yard. 50-100' buffer is available around the proposed pool. Project will roughly impact 15-20' in the buffer zone. Siltation erosion control will be provided outside the fence. Excess materials will be removed from the site after the completion of work. Existing fence will be replaced. Temporary stockpiles shall be used for backfill and shall be stored outside the 100' buffer zone. There will not be any impacts to the resources areas. Interim Agent, Ms. Garnier made a site visit. She reported that there aren't any major issues associated with the proposed work. It was recommended that trench silt fence with filter mitt inside must be used. Before the work commences, it needs to be inspected by the Agent or CONCOM members.

A motion was made by Mr. Travalini to issue a positive 5 and negative 3 determination of applicability for 13A Fisher Street (RDA-16-13) with the conditions that

- ❖ *Erosion control consists of silt fence and filter mitt inside the fence.*
- ❖ *All the excavated material shall be stored outside the 100' buffer zone*
- ❖ *Any extra soils shall be removed from site after the completion of work*
- ❖ *Silt fence and filter mitt stay on site until it is completely stabilized, seconded by Mr. Snow. All were in favor.*

- **12 West Street (RDA- 16-14)- Proposal to install electrical conduits through the Open Trench Method with 71 linear feet of work within 0-100' buffer zone-**

Amanda Crouch-Smith, Tighe & Bond attended the meeting representing the applicant (Ever Source). There is an existing control house on West Street. Station 65 is Ever Source's sub-station behind Exelon Station (up to the north). There is ongoing work within the fenced yard that's been permitted under a separate application. Proposed project is to install two electrical conduits using the existing utility poles and will be connected to the new control house that will be built as a separate project. Third conduit will connect to the existing control house. There are two trenches (1' wide x 3' deep) shown in the plans. Southernmost (in the plans) trench (80 linear feet long) will be wider at 1.5'. Northernmost (in the plans) trench is 100 linear feet long. Due to the grading in the area not much excavation is anticipated. Overall, there is 71 Sq. ft. of disturbance within the project limits. There will not be any exposed material on site. Straw wattles and filter will be provided in the buffer zone. Any excavated material will be stock piled in the fenced area. Mr. Travalini recommended using filter mitt instead of straw wattles for erosion control and that all soils must be stabilized before the removal of the filter mitts.

A motion was made by Mr. Travalini to issue a positive 5 and negative 3 determination of applicability for Station 65, West Street as per plans with the change that filter mitt shall be used instead of straw wattles (as shown in plans) and the disturbed area will be stabilized after work is complete, seconded by Mr. Snow. All were in favor.

CONCOM member, Mr. Snow stepped down from the Board for 9 Summer Street (RDA 16-15).

- **9 Summer Street (RDA-16-15)- Proposal to construct subsurface geotechnical investigation for a future design of a gas line with a total of 3 test pits (Requesting waiver of 25' no disturb for one test pit)-**

Mr. Jeremy Fennell, Epsilon Associates attended the meeting and made a presentation on the project's geotechnical investigation. These investigations are exempt under Wetlands Protection Act but certain areas are subject under Medway bylaws. There is new work or access of vehicles planned through wetlands. Data from the geo tech investigation will be used in designing the Exelon W. Medway II project. A negative determination of applicability and a 25' no disturb setback is being requested as part of this RDA. There are 13 test pits and 3 bore holes proposed of which 3 are within 100' buffer zone. One by the Milford Street is within the 25' no touch setback area. Vehicle access will be provided on the Milford Street side. Equipment will be brought in through Ever Source right of way and will access test pit 13. Test pits were done to a depth of 6-7 feet. Erosion control will be installed to minimize the impacts to wetlands. Area will be restored to pre-existing conditions after the completion of work. Vegetation clearing will be required for some of the test pits. Test pit 1 is within the 25 foot no-disturb easement. If there is any indication of refusal in the area, then another test pit will not be done. Test pit holes are dug with a diameter around 3-4 feet. The erosion control around the pits will be there until the excavation is done. Test pits will be opened and closed in one day. Mr. Travalini reiterated that erosion control around the pits must stay until the soil around it has been re-seeded and stabilized.

A motion was made by Mr. Travalini to issue a positive 5 and negative 3 determination of applicability for 9 Summer Street with the conditions that siltation barriers contain filter mitt and that they stay for the entire period of construction and the areas within 25 and 100' shall be over seeded, erosion control shall be inspected by CONCOM or Agent before work (digging) commences, seconded by Mr. Salvucci. All were in favor.

CONCOM member, Mr. Snow stepped back to the Board after the completion of discussion for 9 Summer Street (RDA 16-15).

Public Hearings-

Hearing#1- Winthrop Street Culvert (adjacent to #59 Winthrop Street) DEP# 216-0866- Proposal to rehabilitate the existing culvert through lining of the culvert (this includes alteration of 372 Sq. ft. of land under bodies of water) – Mr. James Sampson, Weston & Sampson attended the meeting and made the presentation. Existing culvert is 62' long and crosses Winthrop Street. Water flows fairly slowly through the culvert. Section of the culvert on the upstream side is 25' long with corrugated metal. On the downstream side it is 15' long with corrugated metal. Center section of the culvert has an arch bridge. Most of the deterioration is in the floor of the culvert. There are some voids in the wall. Re-lining of the corrugated metal (in August/ September) is proposed under the current application. Arch will not be re-lined at this time. It does not involve any heavy equipment movement or heavy excavation. Any equipment used will be kept on paved surface. Cofferdams are proposed on either side of the culvert to protect the resources. A large silt sack will be provided on the discharge side to help dissipate the water. A by-pass pump with screened suction is also proposed since the area will be isolated during the construction. Silt curtain is proposed on the down stream side of the project as a means of sediment protection. Thickness of the lining is still under design and might be around 2". Design has not been submitted to ACOE. Hydraulic modeling has not been provided to the Commission. Mr. Salvucci suggested that material submitted for ACOE's review should be submitted for Commission's review. Commission also asked that members be informed about ACOE's site visit. Members scheduled a site visit on May 18, 2016 around 6:30 PM. It was agreed that Mr. Sampson will send the materials submitted for ACOE's review. Mr. Salvucci also asked for a water control plan by May 18, 2016.

A motion was made by Mr. Travalini to continue Winthrop Street Culvert (adjacent to #59 Winthrop Street) DEP# 216-0866 to May 26, 2016 meeting, seconded by Mr. Snow. All were in favor.

Public Hearing#2- 10 Forest Road DEP (# 216-086X) proposal to construct an addition within the 25-100' buffer zone of a wetland resource- Mr. Paul DeSimone attended the meeting to discuss this item. Proposed work is a 20 X 14' addition within the buffer zone. Wetland line was re-flagged by past CONCOM Agent, Ms. Catrone. Interim Agent, Ms. Garnier will make a site visit on May 17, 2016 and provide her feedback to the Commission.

A motion was made by Mr. Travalini to continue 10 Forest Road (DEP # 216-086X) to May 26, 2016 at 7:45 PM, seconded by Mr. Snow. All were in favor.

Public Hearing #3- 12 Oak Street (DEP# 216-08XX) - proposal to construct a single family home with associated utilities, driveway, and landscaping-

Mr. Paul DeSimone attended the meeting to discuss this item. He represented the applicant, Mr. Fred Sibly. Wetland flagging was done three years ago. A new pole will be installed on the property line and sewer will be brought in. Proposal is to build a two story house. The house will be constructed in the existing driveway location. Gravel driveway to the side will be used to get to the houses in the back. Strip of asphalt behind the house shall be removed. There are isolated wetlands to the right of the driveway. One of the houses in the back will be demolished. Shoulder on the new proposed gravel driveway will be flat and it drops down towards the wetland. A waiver for 25' no-touch was requested by the applicant due to the reason that both wetlands come together. Pavement within 25' will be removed and gravel will be put in. Mr. Travalini asked for a planting plan that's close to the existing conditions. It was agreed that Ms. Garnier (interim Agent) will make a site visit on May 18, 2016 around 7:00 PM to confirm the wetland lines.

A motion was made by Mr. Travalini to continue 12 Oak Street (DEP # 216-08XX) to May 26, 2016 at 7:45 PM, seconded by Mr. Snow. All were in favor.

Public Hearing #4- 2 Marc Road for NOI (DEP# 216-0867) proposal to construct a building and storm water management system (this includes parking outside the 100' buffer zone)-

Mr. Dan Merrikin, Merrikin Engineering attended the meeting representing the applicant Marc Rosenfeld. NOI was filed for the construction of proposed facility at 2 Marc Road (Medway Industrial Park). It's an active contractor's yard. A series of drainage ditches were constructed 30 years (approx.) ago. Since they date back 30 years, they qualify as wetlands but in reality they are drainage ditches. They do not serve the functionality of a wetland. They serviced portions of the sub-division. There's a storm water basin dating back to the sub-division. There is an open vegetated swale. Proposal is to construct a building on the left hand portion of the property (part of active contractor's yard). A two-story 30,000 Sq. Ft. (each level) building is proposed. A parking lot with a circulatory driveway is also proposed as part of this NOI. An existing dirt road will be converted to a paved road. Proposal is to maintain the swales, and build the facility. Construction of three storm water treatment systems is also proposed. Storm water report was submitted to the Commission. Roof run-off will be captured into an infiltration basin. Erosion controls are proposed around the limit of work. Ms. Graziano made a site visit and her concerns and recommendations were addressed. Excess snow will be accommodated in the storage areas. Plans were reviewed by Tetra Tech. Mr. Merrikin will provide their comments to the Commission.

A motion was made by Mr. Travalini to continue 2 Marc Road (DEP # 216-0867) to May 26, 2016 at 7:45 PM, seconded by Mr. Snow. All were in favor.

CONCOM member, Mr. Snow stepped down from the Board for Public Hearing #5

Public Hearing #5- 9 Summer Street Exelon West Medway for a NOI (DEP#216-086X)- proposal to expand the existing electrical peaking power plant including ancillary facilities, this includes adding an electrical and gas line for service-

Attorney Amy Kwesell (Rubin & Rudman) attended the meeting with the rest of the Exelon team. She made opening remarks and provided project history and milestones accomplished.

Jeremy Fennell (Epsilon Associates): The proposed project is a 240MW peaking facility that operates during peak demand. It will maintain greater electric grid reliability. Most of the property is owned by Exelon with several Ever Source easements. Wetlands were delineated in 2015. Most of the wetlands on site are BVW's. There are some isolated vegetated wetlands and riverfront area associated with a perennial stream. During a site walk, Ms. Graziano identified a wetland, "wetland Z". Most of the peaking facility is outside the buffer zone. However, there are some components of the project that are within the wetland areas. Only 2.7% of the riverfront area (on the eastern side) shall be altered. Some of the impacts will occur during fencing the oil tanks. Tanks will however be installed outside the riverfront area. Erosion control barriers will be installed at the beginning of the construction. Temporary sediment basins will be set up during construction. Storm water design for the project is currently under Medway Planning Board review. They have been designed per state and town standards. Electrical Interconnect is the only area within the project limits that involves permanent wetland fill (approx.477 sq. ft.). There will be some temporary impacts to wetlands around the electrical interconnect area. Wetland replication area has been established and the report is attached in the NOI. An existing culvert shall be maintained during the entire period of construction. Depending on its condition it is proposed to be replaced. There is proposed natural gas line (northern portion of the site) within the project limits. Impacts to two wetlands are anticipated with the installation of the gas pipeline. It will bisect the two wetlands. Crews will mostly work outside the wetlands but for them to operate safely construction matting will be installed (prior to construction) in the isolated wetland. Matting will be removed post construction and the area will be brought back to pre-existing conditions. Pipeline will not be passing through the wetlands. 25' no build setback is requested for this area. Existing access road will be maintained and used during construction.

Jim Borreback, OHI Engineering- In 1970's there's been leakage from storage tanks. Some mitigation measures were applied during that time. In 2000's assessment work was done around the tanks. Detection of non-aqueous space liquid was informed to MassDEP. Recovery gallery has been put up and a Certificate of Compliance was requested for that work and was issued by the Commission. It is anticipated that petroleum impacted soils and potential petroleum impacted ground water could be encountered in the area where the proposed pipeline will pass around the monitoring well. Utility related abatement measure is proposed to be used to address the potential impacts. Ms. Graziano and MassDEP were informed of this. It is a typical method used to deal with impacted materials in utility construction. Planning board requested the URAM plan. The same plan was submitted to CONCOM. One of the components of the plan is to pre- characterize the soils in the area. Most of the petroleum impacted soil will be sent to recycling facility. URAM plan has stock piling procedures included. Members asked for a stockpiling plan.

Eric Las (Beal's and Thomas) comments on the culvert within the project limits - Wetland overflows into the culvert. The existing pipe (27" clay) will be extended by 3 ft. and a concrete headwall will be constructed. It has been inspected and seems to be conveying flow. Per the survey, this pipe bypasses wetland Z. It does not connect the two wetlands. It is controlling the hydrology of the BVW that extends to the north. Members asked that the source of hydrology to wetland Z needs to be determined. It is important that the source is protected during the construction of the switch yard. The infiltration basin is designed to withstand 100 year storm event.

Tammy Sanford (Exelon) - Mr. Sanford briefly explained the interconnect method used in this project.

Dwight R. Dunk (Epsilon) – Stated that a detailed presentation on storm water management will be presented at the next meeting.

Charlie Myers- Mr. Myers asked about the location of the monitoring wells and if they should be constructed in the wetland areas. With the amount of soil disturbance proposed, how would one know if the plume is being disturbed or not. Questions will be answered by the applicant at a future CONCOM meeting.

Karen Hanberry (Old Summer Street) – Asked a question about the fencing and the replication area. How will they impact the brook in the vicinity of the project area (starts at Restaurant 45)? Mr. Fennell stated that the site being referenced has been delineated. *A site visit was scheduled for May 25th around 6:00PM.*
A motion was made by Mr. Travalini to continue public hearing #5- 9 Summer Street Exelon West Medway for a NOI (DEP#216-086X) to May 26, 2016 meeting at 7:45PM, seconded by Mr. Salvucci. All were in favor.

Mr. Snow stepped back to the Board around 10:05PM after the discussion of this item was complete.

Discussions-

Discussion#1- Vote on issuance of Order of Conditions for 3 Independence Lane (DEP# 216-0864)- proposal to construct a single family dwelling with associated utilities, driveway, and landscaping-
A motion was made by Mr. Travalini to issue Order of Conditions for 3 Independence (DEP# 216-0864) and that,

- 1. The Commission hereby finds that the work proposed for the construction of the single family dwelling was presented at the public hearing and the applicant has demonstrated sufficient evidence to demonstrate that the proposed activity has no impact on wetland resource and meets the provisions of 310 CMR 10.22(b) (3) and Medway General Bylaw Article 21 Regulations under sections 3.04 and 3.05. All the conditions must be met in order to meet above mentioned provisions.***
- 2. The Commission additionally finds that the work must be conditioned to protect all interests of Mass. Wetlands Protection Act of Medway General Wetlands Protection General Bylaw.***

3. *The Commission additionally finds that following conditions are necessary to protect the wetland resource for duration of the proposed project. All work must be done according to site conditions.*
4. *NOI must be referenced in the special conditions to the extent that following conditions modify from the plans, specifications or other proposals submitted with NOI, the conditions shall control, seconded by Mr. Salvucci. All were in favor.*

Discussion #2- Lee Lane Culvert Replacement review by Chair and Agent review pictures-

Mr. Travalini made a visit to Lee Lane at the request of Ms. Graziano. Catch basins were installed, loamed and seeded without proper erosion control measures. Mulch was used at the top of the slope (not recommended). Mr. D'Amico was informed of this.

Agent Report-

- **Review office and field hours for interim Agent-** 15 hours per week (7:30 AM -12:30 PM, Tue, Wed, and Thu). Schedule is adjustable on meeting nights. She will check to see if there are any pending building permit requests.

Chair Report-

- **Update on ZBA hearing for Timber Crest Estates-** Mr. Travalini attended the hearing.
- **6 Hunter Lane-** Mr. Travalini did the site visit and spoke with the owner.
- **Sign at Paul Wilson Trail- Kingston Condos-** Will be discussed after the return of Ms. Graziano.

A motion was made by Mr. Travalini to adjourn the meeting at 10:30 PM, seconded by Mr. Snow. All were in favor.

Respectfully submitted,

Sreelatha Allam
Minutes Clerk