



MEDWAY CONSERVATION COMMISSION MEETING
Sanford Hall-155 Village Street
Medway, MA 02053
October 12, 2017 – 7:30 P.M.

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on October 12, 2017 at Sanford Hall. In attendance were members Danya Gill, Brian Snow, David Blackwell, Dave Travalini, Scott Salvucci, Ken McKay, Margery Queenan, Bridget Graziano, CONCOM Agent and Tracy Rozak, Recording Secretary.

Absent Members: None

- The meeting was called to order by the Conservation Commission Chairman, Mr. Travalini at 7:36 pm. Mr. Travalini asked the members of the board if there were any additional items to be added to the agenda. There were none.

Request for Certificate of Compliance

- **72 Main Street DEP #216-0852 proposal to construct 3 commercial buildings, stormwater, and parking area for commercial buildings**

Mr. Rich Landry and Mr. John Kucich were present for the meeting. Ms. Graziano stated she went out to the site on several occasions - 12/16/16, 9/14/17, and 10/12/17 (with Mary Ann Continin, Owner of 3 lots) and went over all the items. The Agent reported that a number of items were completed, such as the removal of erosions controls and stone, seed and loam was put down. Additionally, there were items not addressed and some that were not completed such as there were erosion control materials at the end of the slope, areas on site were still not properly stabilized which need loam and seed, and locations on the slope requiring repair and stabilization were just filled with hay which was about 10 inches in depth. No vegetation growing along the erosion control lines and there was a change in grade where erosion controls were removed, and behind the retaining wall there was no grass or vegetation growth at this time. Ms. Graziano showed pictures of today's site visit. Mr. Travalini stated that in the picture shown, the opposite side of the hay bales does not look sufficiently stabilized. Mr. Landry stated that he and Ms. Graziano discussed on site that they would not put loam down that they were just going to grade it. Mr. Travalini stated that you can see from the pictures that the area is not stabilized as the area looks like a trench. Mr. Kucich stated they could not remove anything until the erosion control line was removed and everything up to that line is stabilized. Mr. Kucich felt that the pictures were misleading as the upwards portion of the site has been stabilized properly. He stated he thought they did what Ms. Graziano requested as there is no sediment running into wetlands.

Mr. Kucich asked if they could release a partial certificate of compliance for the site for the portion that is complete and stabilized. Mr. Travalini stated if they did that then they would not have any control as to the completion of the area and the proposed project was filed as one project all contributing to the stormwater on site. Mr. Snow stated the area does not look stable by looking at the pictures. There is an obvious trench depicted in the picture. Mr. Travalini stated the whole area has to be stable not just 85% of the area. Mr. Kucich stated the law states that the Commission can issue a partial certificate. Mr. Travalini stated they may but the Commission is not required to if the project remains incomplete. The

Commission is concerned because the bank own 2 of the lots and Marianne Connaughton owns the other and releasing an unstable unfinished site provides a false sense of security to a potential buyer, plus the work is not completed. Mr. Snow stated there is not enough grass growing in the area for it to be considered stable. Mr. Kucich stated the slopes are stable. Mr. Kucich stated that just the area at the top where the erosion control line was is not stable. Mr. Landry stated the seeds have been planted and they are germinating and the hay is covering it. Mr. Travalini stated that if we get a cold spell the seeds will not survive. Ms. Graziano should not have to dig through hay to look for growing grass. Ms. Graziano stated it needs to be graded per the plan and everything is vegetated. At this time, only 80% of the site is complete but it has to be 100% before they will issue a certificate. Mr. Landry asked what he needs to do. Mr. Travalini stated the site needs to be 100% compliant with the plan. He asked the applicant if they wanted the Commission to vote now or continue this hearing until it is 100% compliant. Mr. Landry stated he would like it to be continue to the November Meeting to work to complete the outstanding items.

Mr. Travaini made a motion to continue 72 Main Street DEP #216-0852 to the November 9, 2017 meeting. Mr. Snow seconded and it was voted to continue 7-0-0.

Discussions

Discussion #1- Joe Callahan for 135 Holliston Street review of expired Enforcement Order and review of proceeding with rectifying the violation

Mr. Joe Callahan, LSP a representative of the property owner was present for the meeting. Mr. Callahan stated the house has been purchased and the owners are aware of the Enforcement Order. Ms. Graziano met with Mr. Callahan and discussed what needs to be removed- a trailer, debris and other junk, reestablish the wetland line and establish the 25 foot no touch zone. The soil testing has been done. Ms. Graziano recommended that they have a wetland scientist determine the resource line and then determine the 25 foot line. Then the Commission will review and once agreed, add the 25 foot buffer line and the rest will be usable to the current owner. Mr. Callahan stated the owner agreed to clean up a wood pile near the property line as well.

Mr. McKay asked if there were any felled trees. Mr. Callahan stated he did not see any felled trees just lots of vegetation. Ms. Graziano stated that the applicant can move forward with the Notice of Intent.

7:45PM Public Hearings

Public Hearing #1 – (continued 9/14/17, 9/28/17) Notice of Intent 0 Oak Street and 11 R Winthrop Street Map 39-074, 39-074-0001, 39-078 Choate Park Improvements DEP #216-0908 – Proposal to redevelop and improve Choate Park by the following removal of existing septic system, replacement with sewer connection, upgrade the existing stormwater management system, new pavilion, playground reconfigured with splash pad, parking area to be removed and reconstructed (with enlargement), new additional trails, vegetation removal and native plantings, grading, sidewalks, access stairs, viewing platform, nature climbing equipment, landscaping, bridge repair, and the removal of existing tennis courts

Ms. Graziano stated the Town Administrators office and the Towns representatives have reviewed the draft Order of Conditions and sent an email noting there agreement with the draft Order presented at this meeting for the Commission's review.

Mr. Travalini made motion to close the hearing for Notice of Intent 0 Oak Street and 11 R Winthrop Street Map 39-074, 39-074-0001, 39-078 Choate Park Improvements DEP #216-0908.

Mr. Travalini made a motion to approved the proposed project and that the Commission hereby finds that the work proposed for redevelopment and improvements, removal of existing septic system, replacement with sewer connection, upgrade the existing stormwater management system, new pavilion, playground reconfigured with splash pad, parking area to be removed and reconstructed (with enlargement), new additional trails, vegetation removal and native plantings, grading, sidewalks, access stairs, viewing platform, nature climbing equipment, landscaping, bridge repair, and the removal of existing tennis courts, 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), 310 CMR 10.57(4)(a) 1, 2, 3, and 310 CMR10.58 (4) and Medway General Bylaw Article XXI Regulations and the performance standards under Medway General Bylaw Article XXI Section 21.2 (b) and its Regulations Section 3.01, 3.02, 3.03, 3.04, Section 4, Section 5 and Section 6. Ms. Gill seconded and it was voted to approve 6-1-0.

Public Hearing #2 - continued (from 6/8/17, 6/22/17, 7/13/17, 7/27/17, 8/10/17, 8/24/17, 9/14/17, 9/28/17) 15 West Street Notice of Intent 15 West Street DEP #216-0900) Proposal to construction a cell tower with associated equipment pad and subsurface utilities

Mr. Michael Giamo and the Engineer for the project were present for the meeting. They reviewed the plan and stated they have expanded the restoration area. The engineer stated that the first circled area in the picture remains the same. The second circled area was the one that was expanded. The total area adds up to 2400 square feet. They also removed concrete and asphalt from the embankment area. Mr. Graziano stated that using straw bales on the bank would be difficult to installed and requested they use compost socks and note this on the plan or it could be added to the Order. Mr. Travalini asked that they put a no dumping sign on the barriers and they stated they would do that. Ms. Graziano asked that the wording “parts are forested” be changed to “portions are forested”. Ms. Graziano also stated we need an order to protect the Commission since parts of the property are being leased out. Mr. Giamo stated that she did put that language in the order. Ms. Graziano stated that some of the standard wording has been changed or removed specifically, Mr. Giamo requested that the fill language be removed. Mr. Snow stated he is ok with the wording as long as it states the Commission reserves the right to require testing if objectionable material is brought to the site. Mr. Giamo, Mr. Snow and Ms. Graziano reworked the language of the condition for importing fill and the Commission supported these changes.. Ms. Graziano stated they deleted the section about who to call for emergencies after office hours. Mr. Snow stated they should add the construction supervisor’s 24 hour contact information. This person will be provided to Ms. Graziano. Mr. Giamo asked if it grows in one season will that be ok. Mr. Travalini stated that no, they need to make it through two growing seasons. Ms. Graziano will amend the plan to state compost sock and siltation fencing instead of hay bales.

Mr. Travalini made a motion to close the hearing for 15 West Street Notice of Intent 15 West Street DEP##216-0900). Mr. Travalini stated the Commission hereby finds that the work proposed for construction of telecommunications tower within 100’ of a Bordering Vegetated Wetland, 200’ Riverfront Area and Bordering Land Subject to Flooding was reviewed during the public hearing process. During which the applicant presented evidence sufficient to demonstrate that the proposed activity meets the provisions under 310 CMR 10.02 (2) (b) and (3), 310 CMR 10.05(4), 310 CMR 10.57(4), and 310 CMR 10.58 (5) (a) and (f) and Medway General Bylaw Article XXI Regulations and the performance standards under Section 3.04 (3) and 5.06. It was noted that all conditions of this Order must be met in abstained from the vote. Mr. Snow seconded the vote. All were in favor.

Public Hearing #3 – (continued from 4/27/17, 7/27/17, 9/28/17) 0 Applegate Road Map 32 Lot 016 Notice of Intent (DEP# 216-0891) for a proposal by Ralph Costello for the completion and maintenance of an existing stormwater management system and roadway

Per the applicants request, Mr. Travalini made a motion to continue 0 Applegate Road Map 32 Lot 016, Notice of Intent (DEP# 216-0891) to the November 9, 2017 meeting. Ms. Gill seconded. All were in favor.

Public Hearing #4 – 0, 1, 2, 3 Glen Brook Way and 33 West Street Notice of Intent Map 65 Lot 25 and 26 and Map 66 Lot 001 and 002 proposal to construct 6 multi-family residential structures with driveways, children's play area, parking areas, landscaping, stormwater management infrastructure and associated utilities

Mr. Altobello and Ms. Jennifer VanCampen were present for the meeting. Mr. Altobello stated this project is on the southwesterly side of West Street. It is about ½ mile from the intersection of Main Street and Route 126 in an agricultural zoning district. The lot consists of 1.36 acres and an existing dwelling is there now that was constructed in 1935. The topography has an elevation of 210 -190 to the rear of property. The wetlands shown in green in the picture were done by Brad Homes Consulting in April 2016. The buffer zones are shown in the picture. The 100 and 200 foot riverfront areas are shown in purple. There will be 6 new residential buildings which will have 48 rental units. Access is through a u shaped drive way with 75 parking spots. The buildings have been pulled toward West Street as much as possible. A small portion of work is within the 100 buffer zone, about 100 square feet. The stormwater will be treated for quality and quantity. Run off will be directed to a small infiltration system between buildings 1 and 4 and will also collect runoff from the driveway and parking areas. The storm water management system was designed to meet the requirements of the storm water handbook. The contiguous line of erosion control will be changed to straw bales with silt fencing and during the construction silt sacs will be installed below all catch basins. Run off from buildings 4, 5, 6 and the parking area will go to the larger system.

Ms. Graziano asked if the commission wants to do a peer review on the stormwater. The commission stated yes, they would. Ms. Graziano sent a cost proposal to Tetra Tech and they didn't think it would be a huge number. They may attend one meeting to go over the cost proposal if they need to.

Mr. Salvucci stated the time of concentration for flow seemed incorrect and that Tetra Tech might want to look into that. He noted that time of concentration for sheet flow is typically six minutes and the calculations showed nine, this should also be reviewed. Mr. Travalini asked where the run off will go for buildings 5 and 6. Mr. Altobello stated it will go into the infiltration chambers in the front. Ms. Graziano requested a snow fence be put in. There was a brief discussion of what the riverfront area looks like now. Some of the area is natural and part of it is a meadow. Each building will also have their own sheds for trash receptacles. Mr. Travalini stated the meadow should be mowed twice per year- beginning of April and the beginning of September to keep out woody vegetation. Ms. Graziano stated she needs a copy of the Operation and Maintenance Plan and they could put this into the Operations and Maintenance Plan. Ms. Graziano asked how stormwater will be managed during construction and stated that the settling basins cannot be in the same locations as the final locations for the Stormwater Management System. It was noted that they will need to ensure the basins can handle the 100 year storm event. Ms. Graziano asked that the snow placement and operations be put under the operations and maintenance plan as well. Ms. Graziano stated she needs to see the stockpiling locations, staging areas and locations where they will refuel. She asked if both entrances are going to be used for construction. Mr. Altobello stated they will only use the main entrance and the second entrance will be used for emergencies. Ms. Graziano stated that this information needs to be in the plan as well. Ms. Graziano also wants to revise their argument regarding 310 CMR 10.58 (4)(d) redevelopment as she disagrees that this project would qualify for under the Riverfront development performance standards. In addition, the same argument under the MA Stormwater Management Regulations, under 310 CMR 10.05 (6)(k) should not be made as this is not

considered redevelopment.as it relates to stormwater. The Commission and Agent discussed the infiltration system. Mr. Altobello stated the large system will discharge out and the smaller systems will have overflows into the ground, overflow will come out at the noted overflow discharge points. Ms. Graziano stated that inspection ports should not say “optional”. Ms. Graziano stated the long term plan needs to state that fertilizers and truck washing etc. will not be within the 200’ riverfront area or the 100’ buffer zone. Ms. VanCampen stated she would like to put a path all around the meadow. The commission said they could mow a 4 foot path around the meadow. Stone dust or crushed stone would be ok as well. Ms. Graziano stated that if they use crushed stone, it would have to be certified that there was no invasive species in the stone or they would have to have it removed. The agent cautioned this would need to be reviewed in a plan and added to the plan, which it is not at this time. It was agreed if this was something the applicant wanted to pursue then it could be done under an amendment at this time the proposal for such as use is not ready for presentation to the Commission.

Mr. Snow made a motion for a have a peer review under chapter 54 53 G for 0, 1, 2, 3 Glen Brook Way and 33 West Street Notice of Intent Map 65 Lot 25 and 26 and Map 66 Lot 001 and 00. Ms. Gill seconded and it was voted to approve 7-0-0.

Mr. Travalini made a motion to continue 0, 1, 2, 3 Glen Brook Way and 33 West Street Notice of Intent Map 65 Lot 25 and 26 and Map 66 Lot 001 and 002 to the November 9, 2017 meeting at 7:45PM. Mr. Snow seconded and it was voted to continue 7-0-0.

Meeting Minutes

Approval of minutes —1/26/17, 5/11/17, 6/8/7, 7/13/17, 7/22/17, 8/10/17, 8/24/17, 9/14/17

Minutes from the 1/26/17 were reviewed and Mr. Travalini made a motion to accept the minutes as presented. Mr. Snow seconded and it was voted to approve 6-1-0. *Ms. Queenan abstained from the vote.

Minutes from the 5/11 17 meeting were reviewed and Ms. Gill made a motion to accept the minutes with the exception that the spelling of Ms. Queenan’s name be corrected. Mr. Snow seconded and it was voted to approve 6-1-0. *Mr. Salvucci abstained from the vote.

Discussion #2- Ratify Emergency Certification for 10 Little Tree Road removal of 2 trees

Mr. Snow made a motion to issue a Ratify Emergency Certification for 10 Little Tree Road removal of 2 Trees. Ms. Gill seconded and it was voted to approve 7-0-0.

Agent Report

Nothing to report at this time

Chair Report

Nothing to report at this time

Charles River Village –Neelon Lane

Ms. Graziano stated that they have filled in the detention rea and planted some trees there. Ms. Graziano will be doing a site visit on 10/13/17.

Ms. Queenan made a motion to adjourn at 9:42. Mr. Snow seconded and it was voted to approve 7-0-0.

Respectfully submitted,

Tracy Rozak

Documents Presented at the October 12, 2017 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Request for Certificate of Compliance - 72 Main Street DEP #216-0852 proposal to construct 3 commercial buildings, stormwater, and parking area for commercial buildings

- Request for Certificate of Compliance Form 8a accompanied by Letter titled, "Certificate of Compliance Request" from Bohler Engineering, dated July 31, 2017
- Agent Inspection October 12, 2017 with pictures
- Plans titled, "Recorded Survey Tri Valley Commons" by Control Point Associates, dated November 30, 2016

Public Hearings

Public Hearing #1 – (continued 9/14/17, 9/28/17) Notice of Intent 0 Oak Street and 11 R Winthrop Street Map 39-074, 39-074-0001, 39-078 Choate Park Improvements DEP #216-0908

- WPA Form 3 and Notice of Intent Summary by CBA Landscape Architects, Samiotes, and CivilView dated August 24, 2017
- Stormwater Report by CBA Landscape Architects, Samiotes, and CivilView dated August 17, 2017
- Plans titled, Notice of Intent Improvements to Choate Park by CBA Landscape Architects, Samiotes, and CivilView, dated July 12, 2017

Public Hearing #2 - continued (from 6/8/17, 6/22/17, 7/13/17, 7/27/17, 8/10/17, 8/24/17, 9/14/17, 9/28/17) 15 West Street Notice of Intent 15 West Street DEP #216-0900)

- WPA Form 3
- Plans titled, "Medway 2 MA 15 West Street, Medway, MA 02053" by Hudson Design Group, dated April 25, 2017 revised September 5, 2017
- Notice of Intent associated documents for reference

Public Hearing #3 – (continued from 4/27/17, 7/27/17, 9/28/17) 0 Applegate Road Map 32 Lot 016 Notice of Intent (DEP# 216-0891)

- WPA Form 3
- Plans titled, "Definitive Subdivision Applegate Farm Medway, Massachusetts" by GLM Engineering Consultants, Inc., dated January 12, 2007

Public Hearing #4 – 0, 1, 2, 3 Glen Brook Way and 33 West Street Notice of Intent Map 65 Lot 25 and 26 and Map 66 Lot 001 and 002

- WPA Form 3
- Plans titled, "Glen Brook Way" by Merrill Engineers and Land Surveyors, dated April 24, 2017
- Notice of Intent Submittal by Merrill Engineers and Land Surveyors, dated September 25, 2017
- Stormwater Management Report by Merrill Engineers and Land Surveyors, dated June 26, 2017