



MEDWAY CONSERVATION COMMISSION MEETING
Sanford Hall-155 Village Street
Medway, MA 02053
7:30 P.M.
AGENDA
July 27, 2017

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on July 27, 2017 at Sanford Hall. In attendance were members Dave Travalini, Margery Queenan, Scott Salvucci, Ken McKay, David Blackwell and Tracy Rozak, Night Board Secretary.

Members Absent: Brian Snow, Bridget Graziano, Conservation Agent

- The meeting was called to order by the Conservation Commission Chairman, Mr. Travalini at 7:37pm. Mr. Travalini asked if there were any additional items to be added to the agenda. There were none.

Discussions

Discussion #1 –30 Main Street –review unauthorized work within the 0-100’ Buffer Zone of a Bordering Vegetated Wetland and work to fill in isolated wetland.

Mr. Idrissa Johnson, the home owner, Mr. Scott Trufant and Mr. Steve Lannan, neighboring property owners were present at the meeting. Mr. Johnson wants to know what the infraction was about his property that caused him to be called to this meeting tonight. Mr. Lannan stated that he was always told that he could not do any work near the wetlands on his property. Mr. Johnson stated that the wetlands on his property are way in the back of his property- within 100 feet of the buffer zone. Mr. Johnson stated that at the last meeting it was determined that the property was not in the wetlands. Mr. Johnson stated he had permission to fill it in so he had dirt trucked in and leveled off the area. Mr. Travalini asked who gave him permission. Mr. Johnson stated that he did not actually get permission. Mr. Johnson stated that Ms. Graziano told him it was ok to fill in the area because it was not under Con Com’s jurisdiction and she also told him he did not have to come to this meeting. Mr. Johnson made a sarcastic comment asking if he needed to get their permission to mow his lawn. Mr. Travalini told Mr. Johnson to stop with the sarcastic comments and that they will not be tolerated. Mr. Travalini stated that Ms. Graziano did a site visit to his property and her notes state that the work on his property is within the jurisdiction of the Conservation Commission and he needs to apply for a permit.

Mr. Travalini stated Mr. Johnson needs to apply for a permit for the work he wants to do. Mr. Travalini stated he needs to file a request for determination and he can call Ms. Graziano if he has any questions. Mr. Travalini stated that until that is done, he is not to do any more work in that area.

Mr. Lannan stated he is concerned because Mr. Johnson has filled in his property so much that there is nowhere for the water to go to except into the cul de sac. Mr. Lannan stated he is concerned about the erosion to his backyard. Mr. Lannan stated that he called the MASS EPA today and they stated the water needs to go somewhere else. Mr. Trufant, the neighbor on the other side, stated that his house is lower and he is not concerned about the water going onto his property. Mr. Travalini stated that Mr. Lannan’s property is higher than Mr. Johnsons so he does not need to be concerned about water coming onto his property.

Discussion #2- Route 109 Project 25 DEP 216- 0848 discuss Conditions #67 with regards to construction and issued in conflict with this Condition.

No one was present for this meeting and Mr. Travalini could not find Ms. Graziano's notes. Mr. Travalini decided this discussion would be continued to the next meeting on August 10, 2017.

Request for Certificate of Compliance

67 Main Street DEP #216-0822 proposal for roadway and drainage work

No one was present for this so it will be continued to the August 10, 2017 meeting.

36 Main Street DEP #216-0824 proposal for roadway and drainage work

No one was present for this so it will be continued to the August 10, 2017 meeting.

Public Hearing #1 continued from (6/8/17, 6/22/17, 7/13/17) Notice of Intent 15 West Street DEP #216-0900 Proposal to construct a cell tower with associated equipment pad and subsurface utilities.

No one was present for this meeting.

Mr. Travalini made a motion to continue Notice of Intent 15 West Street DEP #216-0900 to the August 10, 2017 meeting at 7:45PM. Mr. Salvucci seconded. All were in favor.

Public Hearing #2 –continued from (6/8/17, 6/22/17, 7/13/17) Notice of Intent 17 Trotter Drive (Map 54 Lot 004-0001) DEP # 216-0901 Proposal to construct a 10,000 sq. ft. office building, associated parking and stormwater management system

Mr. Mark Beaudry from Meridian Associates and Ms. Meghan O'Brien from O'Brien & Sons were present at the meeting. Mr. Beaudry stated they were at the July 13, 2017 meeting and presented a revised set of plans at that time. He stated they have made a few changes to the plan since receiving feedback from the Planning and Economic Development Board. He stated that Con Com supported the changes and they were moving forward with the full plan. Mr. Beaudry stated that they have addressed all of the changes and have resubmitted to Tetra Tech and the planning review board has reviewed it and gave them a clean bill of health. Mr. Beaudry stated they are scheduled to go before the board on August 8, 2017 for a vote.

Mr. Beaudry went over the revisions to the plan which included shifting the building to the south, the parking and driveway moved to the north, they reduced one parking space and reconfigured the parking area so the sizes comply with the Medway by laws. The basin has been replaced with an elongated basin that will catch the roof drainage and overflow. They have a small pavement area that is not going to get any TSS removal. 900 square feet of this is in the stormwater calculations that went to Tetra Tech. The run off has been reduced in this area and all the stormwater issues have been addressed. Mr. Travalini stated that he needs to see a letter from Tetra Tech stating they are ok with all of this. Mr. Beaudry stated that he has this and showed Mr. Travalini an email from Tetra Tech. He stated that Tetra Tech's final comments are noted in black and Mr. Beaudry's responses are in red. Mr. Travalini stated he needs to see a more formal letter (not an email) from Tetra Tech stating they reviewed the stormwater calculations and the design meets the state stormwater regulations and they are fine with the plan. Mr. Travalini stated that they need to receive that letter before the next meeting in order to close this matter.

Mr. Beaudry stated the landscape plan has been updated to reflect the changes that the Conservation Committee asked for. Mr. Travalini asked if anyone had any questions. There were none. Mr. Travalini will have Ms. Graziano draft an order of conditions for Mr. Beaudry to review before the August 10, 2017 meeting.

Mr. Travalini made a motion to continue Notice of Intent 17 Trotter Drive (Map54 Lot 004-0001) DEP # 216-0901 to the next meeting on August 10, 2017 at 7:45PM. Ms. Queenan seconded. All were in favor.

Public Hearing #3 – continued (from 7/13/17) Notice of Intent 33 Main Street DEP #216-0903 Paul Revere Estates Subdivision proposal to construct roadway, stormwater management system for 6 unit subdivision (lots not being approved, infrastructure only)

Mr. Dan Merrkin was present for the meeting and reviewed the plan. He stated this NOI is for a road with a 5 lot subdivision located behind 33 Main Street. The Conservation Commission issued an order of conditions to build a single family house. There is a single road with 5 lots and a storm water basin. Wetlands are on the eastern side. There is a tributary, a swamp and vegetated wetlands where the land levels off. The uplands are the area where they plan to do the construction. Ms. Graziano has looked at the flags and asked for some of them to be shifted a bit but stated this will not have an impact on the overall project. He spoke to the planning board to narrow the pavement with from 26 feet to 20 feet. The only work in the buffer zone is the road work, the shoulder and the back end of the storm water basin. They have erosion controls proposed all the way around- straw bales and compost sock outside of the buffer zone. The outside will be orange snow fence.

Mr. Merrkin asked if anyone had any other comments. Mr. Blackwell asked if he has replaced the wetland flags. Mr. Merrkin stated he is still working on the flags. Mr. Salvucci asked if the berm of the infiltration basin is already in existence or will it be built. Mr. Merrkin stated that where the ground slopes downhill, they will build a berm on the high side. Mr. Travalini asked if the houses for the other lots are being proposed at this time. Mr. Merrkin stated that he will come back for those houses at a later time.

Mr. Travalini asked Mr. Merrkin to explain the toggling of erosion controls on his plan. They have straw bales then compost socks and then straw bales listed again. Mr. Merrkin stated he will use whatever materials the commission prefers. Mr. Travalini asked if he could explain what a selective cut zone is. Mr. Merrkin stated it means that not all the trees can be cut down between the lots according to the subdivision laws. Mr. Travalini stated Ms. Graziano had some questions about the protection of the area around the construction entrance. Mr. Merrkin will talk with Ms. Graziano and find out what her concerns are.

Mr. Travalini asked if anyone had any questions. There were none.

Mr. Travalini made a motion per the request of the applicant to continue 33 Main Street DEP #216-0903 Paul Revere Estates Subdivision to the August 10, 2017 meeting at 7:45PM. Ms. Queenan seconded. All were in favor.

Public Hearing #5,- continued (from 7/14/16, 7/28/16, 8/11/16, 8/25/16, 9/22/16, 10/13/16, 10/27/16/ 11/10/16, 12/8/16, 1/12/17, 1/26/17, 2/9/17, 2/23/17, 3/9/17, 3/23/17, 5/25/17) Notice of Intent Villa Drive Extension Map 49, and Lot 032 (DEP# 216-0865) Proposed construction of a 200 +/- roadway extension and associated utility, earthwork and landscaping

See hearing #9 for discussion on all DEP #'s

Public Hearing #7 – continued (from 8/25/16, 9/22/16, 10/13/16, 10/27/16/ 11/10/16, 12/8/16, 1/12/17, 1/26/17, 2/9/17, 2/23/17, 3/9/17, 3/23/17, 5/25/17) Notice of Intent Villa Drive Extension Map 49, and Lot 032 (DEP# 216-0873) Proposal to construct a single family home, driveway, landscaping and associated utilities- this proposal includes the request for a wetland crossing (alteration)for the construction of a driveway

See hearing #9 for discussion on all DEP #'s

Public Hearing # 8 - continued (from 8/25/16, 9/22/16, 10/13/16, 10/27/16/ 11/10/16, 12/8/16, 1/12/17, 1/26/17, 2/9/17, 2/23/17, 3/9/17, 3/23/17, 5/25/17) Notice of Intent Villa Drive Extension Map 49, and Lot 032 (DEP# 216-0874) Proposal to construct a single family home, driveway, landscaping and associated utilities

See hearing #9 for discussion on all DEP #'s

Public Hearing # 9 - continued (from 8/25/16, 9/22/16, 10/13/16, 10/27/16/ 11/10/16, 12/8/16, 1/12/17, 1/26/17, 2/9/17, 2/23/17, 3/9/17, 3/23/17, 5/25/17) Notice of Intent Villa Drive Extension Map 49, and Lot 032 (DEP# 216-0875) Proposal to construct a single family home, driveway, landscaping and associated utilities

Mr. Barry Queen, Attorney was present at the meeting. Mr. Queen stated that J.P. Connelly from Andrew Surveying and Engineering was not able to be at the meeting tonight and he would be the one that can answer the technical questions. Mr. Queen stated there was some concern as to the crossing at Villa Street. If you look at the attached plan which is part of the Camelot Subdivision part 3, at the top you can see where it comes into Vine Street and Kelly Street and this entrance was approved and the road would go right through it. Mr. Queen stated the plan shows this and even better access for fire and ambulance to go through. Mr. Queen stated that this plan will also be presented to the Planning Board Committee. Mr. Travalini asked that he submit a Certificate of Compliance with no work done for DEP # 865, 874, 873 and 875 so they can clear it off the agenda. Then they will review the whole thing as one project at the next meeting. Mr. Travalini stated that this hearing was not continued or voted on at this time. A new plan and a new DEP # will be issued and will be discussed at the August 10, 2017 meeting **at 7:45PM**.

Discussion # 3 License Agreement with Medway Community Farm for crossing of Idylbrook Conservation Lands

Mr. Don Franzen, Board President of Medway Community Farm was present at the meeting. Mr. Franzen requested the fee for the license agreement be waived. He also asked that the language be changed. Mr. Franzen stated the way the wording is now it is cost prohibit as far as the insurance- on page 2 where it states the licensee shall not access the license premises except on foot or bike or during sporting events. Mr. Franzen would like it to read "the licensee should make every effort to avoid using the access during those times." Mr. Travalini stated that the problem is that of his trucks could hit someone during a public game. Mr. Franzen asked if he should present his insurance coverage to the meeting. Mr. Travalini stated their insurance should be presented to the Town Counsel for review not the Conservation Commission. Mr. Travalini stated if the Town Counsel is ok with their insurance then the Conservation Committee would be ok with it. Mr. Travalini stated there will be a fee is to cover the Town Counsels review and for the use of the land. Mr. Travalini will discuss the waiving of the fee with Ms. Graziano.

Discussion # 4-Vote to ratify an Amended Enforcement Order for 36 Maple Street based on 7/13/17 meeting discussion with property owner, Mr. Ciolek

Mr. Travalini read the letter dated July 10, 2017 from Ms. Graziano that was sent to Mr. & Mrs. Ciolek.

Mr. Travalini made a motion to ratify the amended enforcement order for 36 Maple Street dated July 20, 2017. Ms. Queenan seconded. 4 in favor, none against. * Mr. McKay abstained from the vote.

Meeting Minutes

Mr. Travalini made a motion to approve the 6/22/17 meeting minutes with the change that the spelling of Ms. Queenan's name be corrected. Ms. Queenan seconded. All were in favor. * Mr. Salvucci abstained from this vote.

Chair Report

Stamp for signatures of the Commission
Nothing to report at this time.

Ms. Queenan made a motion to adjourn the meeting at 9:20pm. Seconded by Mr. Salucci. All were in favor.

Next Scheduled Public Meeting: August 10, 2017 at 7:30PM* Sanford Hall, Town Hall 155 Village Street, Medway, MA 02053

Respectfully submitted,

Tracy Rozak

Documents Presented at the July 27, 2017 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Public Hearing #2 –continued from (6/8/17, 6/22/17, 7/13/17) Notice of Intent 17 Trotter Drive (Map 54 Lot 004-0001) DEP # 216-0901 Proposal to construct a 10,000 sq. ft. office building, associated parking and stormwater management system

- WPA Form 3
- Plans titled, “ Notice of Intent Submittal, O’Brien & Sons Corporate Office” by Meridian Associates, dated May 23, 2017
- Stormwater Management Report for O’Brien & Sons Corporate Offices, by Meridian Associates Dated May 23, 2017

Public Hearing #3 – continued (from 7/13/17) Notice of Intent 33 Main Street DEP #216-0903 Paul Revere Estates Subdivision proposal to construct roadway, stormwater management system for 6 unit subdivision (lots not being approved, infrastructure only)

- WPA Form 3
- Stormwater Report by Merrikin Engineering, dated June 9, 2017
- Paul Revere Estates Definitive Subdivision Plan, by Merrikin Engineering, dated June 9, 2017

Discussion # 3 License Agreement with Medway Community Farm for crossing of Idylbrook Conservation Lands

- Draft Idylbrook License Agreement

Discussion # 4-Vote to ratify an Amended Enforcement Order for 36 Maple Street based on 7/13/17 meeting discussion with property owner, Mr. Ciolek

- Letter dated July 10, 2017 from Ms. Graziano that was sent to Mr. & Mrs. Ciolek