



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall-155 Village Street

Medway, MA 02053

7:30 P.M.

August 24, 2017

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on August 24, 2017 at Sanford Hall. In attendance were members Danya Gill, Dave Travalini, Ken McKay, Brian Snow, Scott Salvucci, David Blackwell, Bridget Graziano, CONCOM Agent and Tracy Rozak, Recording Secretary.

Absent Members: Margery Queenan

- The meeting was called to order by the Conservation Commission Chairman, Mr. Travalini at 7:30 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 Determination of Applicability

21 Maple Street RDA-17-06 proposal to construct an addition to the existing dwelling and new deck 8' x 18'

Mr. Jeffrey Ross and Mr. Robert Hart were present at the meeting. Mr. Hart stated his wife sent in the revised plans to CONCOM. Mr. Ross stated they are adding a deck with 4 additional footings to the existing structure. The deck is off the side of the new addition with the stairway near the right side of the property with a stream in the 25 no touch zone. Mill brook and Chicken brook extend through the entire property in the outer 100-200 foot riverfront area. The access route was discussed; there is a stone patio drive close to the riverfront to get to the deck.

The agent showed the committee pictures of the area. The agent asked the commission to ok a waiver to access the 25 no foot area for access only, no trucks coming in and out of the area. Mr. Snow stated they already have a waiver for use so they don't need a new one and can leave the erosion controls the way they are now but need to put in a compost sock per the plan. The agent stated the erosion controls should be put up against the stream on their property line and should use mulch socks. The footings will be hand dug and no cement will be trucked in.

The agent requested the following conditions:

No gutters or stock piling of material in the work area, no refueling of equipment and reseed any disturbed areas. The excavated soil from the footings will be put underneath the deck with stone on top of it. The soil will not be moved closer to the riverfront

Mr. Travalini made a motion to issue positive 5, negative 3 determination for 21 Maple Street RDA-17-06 with the conditions listed above. Ms. Gill seconded. All were in favor

Request for Determination of Applicability

35 and 37 Summer Street RDA-17-07 proposal to grade and install fencing for a proposed play area and day care facility

Mr. and Mrs. Beaudreau and Mr. Jason Worthington, Construction Manager were present at the meeting. Mr. Worthington explained that the property consists of a lot and driveway (the house has been removed). There are wetlands along Rustic Road and a retaining wall is in the 25 foot buffer zone. The resource area has been flagged. The agent adjusted the flags and they are on the plan tonight. The playground area will have a stormwater management system. Low points are where the storm water will be. Mr. Worthington met with the planning board and had the soil tested today and they adjusted their stormwater management plan because they found several large boulders, some as big as 10 feet in width. They will now ensure they have a proper offset using a raingarden and a chamber system. There will be some slight grading and installation of the playground area. They have an AC DC barrier across the perimeter. They are meeting again with the planning board on September 12, 2017.

Mr. Travalini stated he is concerned about disturbed soils eroding away and going down the driveway. He would like to see a fabric filter in the catch basin during construction. Mr. Worthington stated they will use silt fencing and straw wattles. The agent stated she prefers he not use wattles. The commission requested siltation fencing and a filter sock instead of straw wattles in the jurisdictional area.

The agent requested the following conditions:

They use siltation fencing and silt sock instead of wattles and they should use filter fabric on the west side of the project.

Mr. Travalini made a motion to issue a positive 5, negative 3 determination for 35 and 37 Summer Street RDA-17-07 with no work started until they receive a final set of plans from the planning board. Mr. Snow seconded. All were in favor.

Request for Certificate of Compliance

- **72 Main Street DEP #216-0852 proposal to construct 3 commercial buildings, stormwater, and parking area for commercial buildings**
- **67 Main Street DEP #216-0822 proposal for roadway and drainage work**
- **36 Main Street DEP #216-0824 proposal for roadway and drainage work**

Per the request of the applicant, Mr. Travalini made a motion to continue 72 Main Street DEP #216-0852, 67 Main Street DEP #216-0822, 36 Main Street DEP #216 to the September 14, 2017 meeting. Mr. Snow seconded. All were in favor.

Request for Extension to Order of Resource Area Delineation

- **102 Winthrop Street DEP #216-0821 - Request to extend the Order of Resource Area Delineation for 102 Winthrop Street**

Mr. Tony Biocchi, Mr. Dan Wells from Goddard Consulting and Mr. Mounir Tayara were present for the meeting. Mr. Biocchi stated he is here to request an extension to the original date of September 10, 2017. Mr. Biocchi stated that Mr. Henry Wickett is the legal applicant on the ORAD because part of the area is on his property but part of the area is on Mr. Tayaras property according to the Purchase & Sales agreement. Mr. Biocchi reported that the Town Council stated they cannot ask for an extension because they are not the actual property owners. The problem is that Mr. Henry refuses to sign. Mr. Tayara served him with papers for a court order and a hearing is scheduled for this Monday. Mr. Biocchi is asking for an extension in case the hearing on Monday rules in their favor. Mr. Snow stated since Mr. Wickett owns part of the property, they do need his signature. The agent stated that Art Allen, the Peer

Reviewer would be ok with the extension. Mr. Snow suggested they grant an extension for the portion of the land that is theirs and wait for the outcome of litigation for the other piece of the property.

Mr. Snow made a motion to extend the Order of Resource Area Delineation for 102 Winthrop Street DEP #216-0821 pending the outcome of the litigation. They will have up to 60 days after the legal decision day to file and extension. Mr. Travalini seconded. All were in favor.

Ms. Graziano stated she does not think DEP will accept this motion and everything will have to be reflagged.

Public Hearing #1 – Abbreviated Notice of Resource Area Delineation 123 Main Street (DEP #216-09xx) Proposal for the review of wetlands delineation

Per the request of the applicant, Mr. Travalini made a motion to continue 123 Main Street (DEP #216-09xx) to the September 28, 2017 meeting. Mr. Snow seconded. All were in favor.

Public Hearing #2 – Notice of Intent 6 Dover Lane Lot #3 (DEP #216-0907) Proposal to construct gravel driveway across Lot #3 within an existing approved subdivision Bay Oaks this construction was included with stormwater management system for Bay Oaks Subdivision

No one was present for this meeting and the draft order of conditions were sent. Ms. Graziano stated she has a letter from their representative stating that they reviewed it and agreed to the order of conditions.

Mr. Travalini made a motion to close the hearing. The commission hereby finds that the work proposed for the construction of a gravel driveway for a future single family home was presented at a public hearing. The applicant has submitted sufficient evidence to demonstrate that the proposed activity meets the provisions under 310 CMR 10.02(2) (b) and (3) Medway General Bylaw Article XXI Regulations and the performance standards under Section 3.04 and 5. The Medway Conservation Commission finds that the conditions noted in the Order (reviewed by the Applicant) are necessary in order to protect the wetland resource for the duration of this proposed project. Ms. Gill seconded. All were in favor 4-2-0.

****Mr. McKay and Mr. Salvucci abstained from the vote.***

Public Hearing #3 – Notice of Intent 7 Saddle Hill Road (DEP #216-0905) Proposal to construct a garage (detached)

Mr. Dan O'Driscoll and Mr. Michael Kassel were present at the meeting

Mr. Travalini made a motion to close the hearing for Notice of Intent 7 Saddle Hill Road (DEP #216-0905) The commission hereby finds that the work proposed for the construction of a detached garage for an existing single family home was reviewed 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) and (3) Medway General Bylaw Article XXI Regulations and the performance standards under Section 3.04 and 5. Mr. Snow seconded. All were in favor 4-2-0.

**** Mr. McKay and Mr. Salvucci abstained from the vote.***

Public Hearing #4– Notice of Intent 0 Milford Street (Route 109) Proposal to install two (2) valves on an existing natural gas pipeline (24” Algonquin mainline and 30” Algonquin 30B Line this includes installation of gravel access road, relocating valve station fencing to include new valves and construction of work space for this project DP216- 0906

Ms. Ivana Pejatovic and Mr. Rivenburch were present at the meeting.

The agent stated that she made the changes that she and Ms. Pejatovic spoke about over the phone. The agent stated that the applicant refers to the owner which is EverSource so she removed condition # 2 because they are not the owners. EverSource is the owner and Excelon just has an easement. The agent also added condition #29.

Ms. Pejatovic asked about condition #36 regarding dewatering. She stated there is no specific separate plan and asked if the plan they already submitted is ok. The agent stated yes but it should state no discharge should go into jurisdictional areas and if emergency dewatering requirements arise, the applicant will submit a contingency plan to the Commission for approval.

Ms. Pejatovic also had a question about the special condition regarding the seed mix recommendation document that discusses the seeds for upland area. She stated they can eliminate lyme and fertilizer but need to use mulch. The Conservation plan suggests a broader mix of seeds and native species and the agent would prefer it. Ms. Pejatovic asked what exactly would she like her to use. The agent stated a native mix specific for the New England area and she will send it to Ms. Pejatovic. Ms. Pejatovic stated she will work on the preconstruction notification.

Mr. Travalini made a motion to close the hearing for Notice of Intent 0 Milford Street (Route 109) DP216- 0906. The commission hereby finds that the work proposed for the ion the existing gas line, one 24” mainline and second 30” line, installation of gravel access road, relocation of valve station fencing and construction of work space associated with the project was reviewed 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) and (3) Medway General Bylaw Article XXI Regulations and the performance standards under Section 3.04 and 5. Additionally, the Commission has agreed this project may qualify under the provisions of CMR 10.53 (3) (d) for a limited project for the operation and maintenance of a utility. Ms. Gill seconded. All were in favor. Mr. Salvucci abstained from this vote. * Mr. McKay invoked the Mullen rule.

Public Hearing #5- continued (from 6/8/17, 6/22/17, 7/13/17, 7/27/17) 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. Travalini made a motion to continue 15 West Street Notice of Intent 15 West Street DEP #216-0900) to the September 14, 2017 meeting. Mr. Snow seconded. All were in favor.

Meeting Minutes

Mr. Travalini made a motion to approve the following meeting minutes: 3/9/17, 5/25/17 and 6/22/17. Mr. Salvucci seconded. All were in favor 5-1-0.

**** Ms. Gill abstained from this vote.***

Discussion #1 – Open Space Parcels owned by Conservation Commission and the Open Space and Recreation Plan (update)

Ms. Graziano gave an update on the Open Space and Recreation Plan (OSRP). Mr. Blackwell stated the last OSRP meeting was a brainstorming meeting for the survey questions and they focused on how to reach out to people. They will be sending out a survey through Survey Monkey (hard copies for events) and they will be holding three public forums. Mr. Travalini and Mr. Blackwell will be meeting next week with Anne Capra, the OSRP consultant. Ms. Graziano is also helping to identify all parcels owned by Medway and will filter them by schools, parks, conservation land etc.

Discussion #2 – Town Tax Tables

Ms. Graziano sent an email to the commission members asking if they could help with the town tax table auction list. Ms. Graziano needs a committee member to help decide if the town wants any of the parcels for conservation use. Some properties will be taken by DPS for drainage. Mr. Snow stated he might be able to help. Mr. Travalini stated he may be able to help for one day.

Agent Report

- **Main Street Route 109 - DEP #216-0848** Road work update on compliance with Order of Conditions

Mr. Travalini and Ms. Graziano will meet with Mary Trudeau, Environmental Monitor and Christine Sims, Assistant to the Clerk of the Works (Clerk of the Works is out on leave) next week to get an update and discuss the parking issue.

- **30 Main Street** - Request for filing of RDA for work on the property

Mr. Tony Biocchi was present at the meeting and hand delivered the RDA to Ms. Graziano. Ms. Graziano stated that the owner emailed her today. Mr. Travalini stated the owner or his representative has to show up at the next meeting or he will be issued a ticket.

Chair Report

- Conservation Commission stamp - Still in progress

Mr. Blackwell made a motion to adjourn the meeting at 9:21 pm. Ms. Gill seconded the motion. All were in favor.

Respectfully submitted,

Tracy Rozak
Night Secretary Conservation Commission

Documents Presented at the August 24, 2017 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Public Hearing #2 – Notice of Intent 6 Dover Lane Lot #3 (DEP #216-0907) Proposal to construct gravel driveway across Lot #3 within an existing approved subdivision Bay Oaks this construction was included with stormwater management system for Bay Oaks Subdivision

- Draft Order of Conditions DEP #216-0907
- Plan titled, “Proposed Driveway Lot 3 Dover Lane Medway, MA” by GLM Engineering Consultants, dated August 8, 2017

Public Hearing #3 – Notice of Intent 7 Saddle Hill Road (DEP #216-0905) Proposal to construct a garage (detached)

- Draft Order of conditions DEP #216-0905
- Plan titled, “Plan to Accompany the Notice of Intent 7 SaddleHill Road Medway, MA” by O’Driscoll Land Surveying, dated August 11, 2017

Public Hearing #4– Notice of Intent 0 Milford Street (Route 109) Proposal to install two (2) valves on an existing natural gas pipeline (24” Algonquin mainline and 30” Algonquin 30B Line this includes installation of gravel access road, relocating valve station fencing to include new valves and construction of work space for this project DP216- 0906

- WPA Form 3 with supplemental documentation
- Plans titled, “Burrville Discharge Algonquin Gas Transmission Exelon West Medway Hot Tap Facilities Workspace and Erosion Control Plan”, by Beals and Thomas, dated July 14, 2017
- Plans titled, “Burrville Discharge Algonquin Gas Transmission Exelon West Medway Hot Tap Facilities ESCP Detail Plan”, by Beals and Thomas, dated July 14, 2017
- ORAD DEP #216-0849
- Erosion and Sediment Control Plan, by Environmental Construction Permitting, dated June 6, 2014
- E&C Spill Prevention Constriction and Countermeasure Plan/Preparedness, Prevention and Contingency Plan, by Environmental Construction Permitting, dated August 2009