



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall-155 Village Street

Medway, MA 02053

7:30 P.M.

September 14, 2017

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on September 14, 2017 at Sanford Hall. In attendance were members Danya Gill, Dave Travalini, Ken McKay, Brian Snow, Scott Salvucci, David Blackwell, Marjorie Queenan, Bridget Graziano, CONCOM Agent and Tracy Rozak, Recording Secretary.

Absent Members: Brian Snow

- The meeting was called to order by the Conservation Commission Chairman, Mr. Travalini at 7:33 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 building, stormwater, and parking are for commercial buildings

Per the applicant's request, Mr. Travalini made a motion to continue 72 Main Street DEP #216-0852 to the September 28, 2017 meeting. Ms. Gill seconded and it was voted to approve 7-0-0.

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

Mr. D'Amico, DPS Medway was present at the meeting and stated the work was never done.

Mr. Travalini made a motion to issue a Certificate of Compliance for work never commenced for 67 Main Street DEP #216-0822. Ms. Gill seconded and it was voted to approve 7-0-0.

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

Mr. D'Amico, DPS Medway was present at the meeting and stated that the work was completed. Ms. Graziano showed pictures of the area and stated the area is stable and clean. Ms. Graziano stated they do not have to provide a final As-Built but can submit something stating that the work was completed per plan.

Per the recommendation of the ConCom agent, Mr. Travalini made a motion to issue a Certificate of Compliance for 36 Main Street DEP #216-0824. Ms. Gill seconded and it was voted to approve 7-0-0.

66 Village Street DEP 216-0829 Charles River Pollution Control District proposal to complete improvements to the existing site for operation and compliance and NPDES.

Ms. Danielle Gallant from the Charles River Pollution Control District was present at the meeting. Ms.

Gallant stated that the work on the NOI was for the installation of a one inch pipe to help convert the existing system. That work was not done. The only work done within the buffer zone was the one inch piping (shown as the dotted/ dashed line on the diagram). There were only very minor alterations. Ms. Graziano walked the site with Liz and saw that everything was removed and the area is stable. The contractors had placed soil next to the wetland and the landscapers were putting lawn clippings near the wetland. Liz spoke to them and they removed the soil and lawn clippings. Liz will speak with the landscapers and inform them not to do that again. Mr. Travalini stated that if it does happen again that they will need to put a barrier fence or stone wall up to keep the landscapers from dumping in that area.

Per the recommendation of the ConCom agent, Mr. Travalini made a motion to issue a Certificate of Compliance for 66 Village Street DEP 216-0829, Charles River Pollution Control District. Mr. Blackwell seconded and it was voted to approve 7-0-0.

5 Elm Street-DEP # 216-0881 proposal to construct a single family home with septic, landscaping, driveway.

No one was present for this meeting. Ms. Graziano stated that she met with Mr. Tony Leland (applicant for single family home) and the area needs to be reseeded and that Mr. Leland is working on that now. The applicant requested a continuance to the September 28, 2017 meeting.

Per the request of the applicant, Mr. Travalini made a motion to continue 5 Elm Street-DEP # 216-0881 to the September 28, 2017 meeting. Mr. Blackwell seconded and it was voted to continue 7-0-0.

Request for Determination of Applicability

30 Main Street RDA -17-08 proposal to fill in non-jurisdictional wetlands, plant native species, add rip rap to stormwater discharge within the 0-100' of a Bordering Vegetated Wetland.

Mr. Tony Biocchi was present for the meeting. Ms. Graziano showed pictures of the area. The pictures showed two wetland areas that were probably one wetland area years ago before the house was built and the driveway split the wetland resources into two with no hydrological connection. The Agent believed that based on aerial photography which showed tree removal that this may have exacerbated the ponding of the water through the years. It was reported that the previous owners requested Norfolk Mosquito Control to dredge the adjacent intermittent stream and then the Johnsons purchased the property. The water issue has become worse over time. This is partly due to drainage from Thunder Hill. The problem is nobody knows how much water is going to collect in this area. Ms. Graziano showed a picture of erosion caused by the water. The proposed plan would try to rip rap that area and catch the water to keep it away from the driveway. The water would collect into a pool area/ retention pond. Mr. Biocchi is concerned if it causes a problem towards the BVW (jurisdictional area). Ms. Graziano stated that an overflow pipe to the wetland under his driveway would be best. Mr. Travalini stated the proposed grass area should be changed to native trees (trees use a lot of water). Mr. Travalini suggested using red maple trees as they pull up a lot of water. Arborvitae are not good because if they get wet feet they will die. The cone flowers & mountain laurels are fine but not the rhododendrons. Mr. Biocchi stated the home owner is trying to make the area better and is open to suggestions. Ms. Graziano stated they should ask the owner for full plantings on the side of the driveway. Mr. Travalini suggested that members of the commission should schedule a site visit (scheduled for September 25, 2017 at 5:30pm) before the next meeting to see the drainage problems.

Mr. Travalini made a motion to continue 30 Main Street, RDA -17-08 to the September 28, 2017 meeting at 7:30pm. Ms. Gill seconded and approved for a continuance 7-0-0.

Public Hearings

Public Hearing # 1 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 Improvements DEP #216-0908- Proposal to redevelop and improve Choate Park by the following- removal of an existing septic system, replacement with sewer connection, upgrade the existing stormwater management system, new pavilion, playground reconfigured with splash pad, parking are 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 the existing tennis courts.

Mr. D.J. Chagnon of CBA Architects and Mr. Stephen Garvin, Engineer from Samiotes Consultants the Town of Medway's representatives were present for the meeting. Mr. Chagnon stated the overall goal was to enhance and restore the sites found in the survey. Choate Park is to be a focal point of the town. Mr. Chagnon showed pictures of the existing area. Mr. Chagnon stated a lot of the fences are tired looking and they would like to convert those areas into a passive recreation area and connect to the existing trails. The playground is near the edge of the water and has accessibility issues. The pavilion will stay but they are proposing a new picnic seating area. The existing septic would be abandoned as they would connect with the town sewer. The Cassidy field area needs improved connections to connect Choate Park. Most of the improvements are a reorganization of the existing structures. It was noted that these plans will achieve ADA compliant trails and facilities around the pond. But should be noted that the back area would have required too much work so that will not be ADA compliant. They also proposed an alternate plan (if funding allows for it) of what they would like to do in the future. Some of the stone work on the existing bridge needs to be fixed and a natural play sand area added. They are proposing a new route that connects to the existing trail that comes down from the high school so that everything ties together. The gray paved area will be reduced and shifted farther from Chicken Brook. The proposed pavilion is a concrete slab and an open structure at grade above the FEMA flood elevation. The playground is made of rubber safety surfacing that will drain into the stormwater system. The board walk and overlook area will be recycled plastic, and they will use concrete under the footing in the stair area. This would require some clearing of vegetation- mostly underbrush and saplings. They will avoid major trees and adjust the layout as needed. Mr. Chagnon stated that the lighter green areas on the diagram are lawn areas that will be meadow grass or wet mix (mowed seasonally). The current sand area near the bank should be a wet mix. The darkest green areas on the diagram are native species shrubs that are amenable to wet feet. All regrading below the fema flood elevation is minor amounts of cut. A few shrubs along the bank with meadow grass and trees along the pathway/picnic area. Existing landscape removal at the back edge (sand court) will be replaced with wet mix. Along the pond edge, they propose straight species plantings for survival. They will realign the pathways using siltation fencing.

Mr. Garvin stated the catch basins will go through an infiltration system and then into the overflow system for phosphorus removal that the town requested. There is an existing septic system now that will be removed and tie into the town sewer. The leach fields will be left in place. Mr. Salvucci asked about the water quality. He stated there is a half inch. The design parameter used is similar to the route 109 project. Ms. Graziano stated they could do use zero prosperous fertilizers. Native mixes don't need to be fertilized at all. If they dig up the tennis courts and find it is not good conditions then they will have to come back before the committee for an amendment. There is a former bathhouse turned storage building – it is being decided if this building will be removed. There is a low flow water feature that drains into the drywell. Mr. Salvucci asked how they will remove the sand. Mr. Garvin stated will first install erosion controls and then remove the sand. The first row of shrubs will be in some sand then six inches of soil.

Mr. Travalini asked if anyone has questions. Mr. Salvucci asked when the bid documents will be available. Mr. Chagnon stated they should be ready the first week of October. Mr. McKay asked how much the parking area has changed. Mr. Chagnon stated that it went from 47 spaces to about 65 parking spaces. In addition, he stated there are some tree plantings in the parking area around the perimeter and in the dog bone with a buffer of evergreens and shrubs. Mr. Blackwell asked what type of trees. Mr. Chagnon stated they are native to the area—such as red maple, honey locus, American elm, native dogwood and sugar maples etc.

Ms. Graziano stated that she needs a calculation of the fill for the BLSF so the commission can decide if it is negligible or not. She also asked for clarification of the base flood elevation. Mr. Chagnon stated it is at 194 then shrinks down to 188 because of the dam at Chicken Brook.

Ms. Graziano requested they use orange construction fencing with siltation fencing and just compost sock with siltation fencing on the west side.

Ms. Graziano asked about the removal of asphalt and concrete. Mr. Chagnon stated that it will be kept in a designated area until it is trucked out. Mr. Travalini stated the staging area has to have appropriate controls and they need to ensure that no equipment will be stored within 100 feet of the wetlands. Ms. Graziano stated she needs the calculation of square footage of riverfront restoration area.

Mr. Travalini asked if anyone had any questions. There were none. Mr. Travalini stated that if they can get the information that Ms. Graziano needs and the numbers are ok then the commission will be ok with the plans.

Mr. Travalini made a motion to continue 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 this to the September 28, 2017 meeting at 7:45PM. Mr. Blackwell seconded and it was voted to approve the continuance 7-0-0.

Public Hearing #2 Notice of Intent 24 Puddingstone Lane DEP# 216-0909 proposal to install in ground pool with associated shed and fencing and restore wetlands resource alteration and 0-25' No Disturb Area to a natural state.

Mr. Chad Beauregard, the owner and Mr. Truax were present at the meeting. Mr. Riochi stated this is an existing dwelling. Mr. Beauregard did some work in the back yard and noticed the area was wet. He took down an old tree in back and in the front. There was a brush pile on the neighbors' lot (it was there when he bought the property). He would like to install a pool a pool but didn't know there were wetlands back there. Ms. Joyce Hastings has flagged the wetlands and they will clean up and replant the 25 foot buffer zone. Mr. Beauregard has permission from the neighbor to clean up the area which they will do. Stock piles will be outside the 100 foot buffer zone. Mr. Travalini asked how close the rip rap area to the wetlands is. Mr. Truax stated it is outside of the 25 foot zone.

Ms. Graziano asked if it is an anionized pool and will it have an elephant cover. Mr. Truax answered yes to both questions. Ms. Graziano would like them change the wording of the "shed" to "a pool house". Ms. Graziano would also like to like to amend the erosion controls and use compost socks with siltation fencing. She would like them to use compost sock around the pool area. Ms. Graziano also requested that Dave D'Amico be notified about the curb cut. Mr. Truax stated they have put a call into him but he has not yet answered.

Ms. Graziano needs to see the pools specifications/and manufactures maintenance plan. She also wants to see the revised plans with the silt fencing and relabeling.

Mr. Travalini made a motion to continue Notice of Intent 24 Puddingstone Lane DEP# 216-0909 to the September 28 2017 meeting at 7:45PM. Ms. Gill seconded. All were in favor.

Public Hearing #3 DEP 216-904 (continued from 7/13/17, 7/27/17, 8/10/17) Notice of Intent 33 Main Street DEP #216-0904 Paul Revere Estates Subdivision proposal to construct a roadway, stormwater management system for 6 unit subdivision (lots not being approved, infrastructure only)

Mr. Travalini made a motion to close the hearing for DEP 216-904 Notice of Intent 33 Main Street. Ms. Queenan seconded and it was voted to close 6-1-0.

Mr. Travalini stated that the commission hereby finds that the work proposed for construction of a new subdivision road (construction of houses with associated amenities are not approved under this Order) and stormwater management system within 100' of a Bordering Vegetative Wetland was reviewed during this public hearing process, where the applicant presented evidence sufficient to demonstrate that the proposed activity has met the provisions under 310 CMR 10.02 (2)(b) and (3) and 310 CMR 10.5 (4) and Medway General Bylaw Article XXI Regulations and the performance standards under Section 3 and 5. It was noted that all conditions of this Order must be met in order to meet the above mentioned provisions.. Mr. Blackwell seconded and it was voted to approve 6-1-0.

Public Hearing #4 continued from (6/8/17, 6/22/17, 7/13/17, 7/27/17, 8/10/17, 8/24/17) 15 West Street Notice of Intent DEP #216-0900 Proposal to construction a cell tower with associated equipment pad and subsurface utilities

Mr. William D'Innocenzo, land owner and Mr. Michael Giamo, Robinson and Cole were present for the meeting. Mr. Giamo stated this site is disturbed with impacted gravel- it has been used as a contractor yard in active use for the last 50 years or so. We were asked to make a smaller rectangular compound. There needs to be compensatory storage in the back that is to Hopping brook. Jersey barriers will wall off the front side of those areas. They propose to plant those areas and restore natural conditions to the area. No new access is being created. No new snow storage is required. Access is still through the main gate. Staging is near the fenced enclosure. Operations and relocation of existing materials have used jersey barriers in the past and they can move them away from the river front area. The mitigation requirements have been satisfied to improve the conditions in the riverfront area. The gravel surface will help with the effects of stormwater runoff.

Mr. Travalini would like to schedule a site walk and asked that the area be staked out before the visit. Mr. Travalini asked Ms. Graziano to provide google images of the area to see if the jersey barriers have been moved within the last five years. Mr. Travalini asked where the trailers are going. Mr. Giamo stated they will be moved on the site according to what project is going on at the time. They will be using jersey barriers to serve as protection from run off. Mr. Travalini stated that they cannot be moved and that the land owner is responsible if anything goes wrong. Mr. Travalini asked if anyone has any questions. There were none. Mr. Travalini scheduled the site walk for the Monday, September 25, 2017 at 6pm.

Ms. Graziano asked if the commission felt that the work being done is really an improvement. It needs to be 1-1. The commission needs to decide if they agree. Ms. Graziano asked them to do some plantings which is an improvement. Mr. Salucci had some concerns - he would like to see more of an improvement. Mr. Giamo stated that the landlord runs a business out of this area and cannot change the way he operates. Ms. Graziano brought up the regulations on the projector screen and they reviewed # 5. Mr. Giamo stated that they meet C, D, and E of the regulations so F does not apply to them.

Ms. Graziano would like to know the square footage of the area that is being improved. Ms. Graziano also asked about the testing from the excavation pits. Mr. Giamo stated that the letter in exhibit B addresses that issue. They do not need to do testing as they are only digging down one foot and there will be at least two feet of separation.

Mr. Travalini made a motion to continue Public Hearing #4 West Street 15 Notice of Intent DEP #216-0900 Proposal to construction a cell tower with associated equipment pad and subsurface utilities to the September 28, 2017 meeting at 7:45PM. Mr. Blackwell seconded and it was approved to continue 7-0-0.

Meeting Minutes

Approval of minutes —1/26/17, 5/11/17, 6/8/17, 7/13/17, 7/27/17, 8/10/17, 8/24/17

Mr. Snow made a motion to approve the following meeting minutes: 3/9/17, 5/25/17 and 6/22/17. Mr. Salvucci seconded and it was voted to approve 6-1-0.

Discussion #1

Request to amend the Order of conditions for 5 Elm Street DEP # 216-0881 proposal to amend the existing Order of Conditions for the removal of five mature trees were damaged and threatening the construction of a new single family home.

Ms. Graziano stated they are requesting an amendment. Mr. Tony Leland asked if he could pull down 5 maple trees that were dead and were outside of the 25' buffer zone. Mr. Travalini and the Agent verbally approved it and now are requesting an amendment. Ms. Graziano asked Mr. Travalini if they need a full vote or can they put it in as a deviation.

Mr. Travalini made a motion to amend the existing Order of Conditions 5 Elm Street DEP # 216-0881 for the removal of five mature trees were damaged and threatening the construction of a new single family home. Ms. Gill seconded and it was voted to amend 7-0-0.

Agent Report

- **Re-sign the original Idylbrook license Agreement**

The committee members re-signed the license agreement.

- **Idylbrook clearing for baseball.**

Ms. Graziano stated they want to mow the meadow and turn it into grass because they are losing many baseballs in the tall grass. Ms. Graziano will have them call Mr. Travalini to discuss this further.

Chair Report

- **Conservation Commission stamp**

It has been ordered and is on its way.

Ms. Queenan made a motion to adjourn the meeting at 10:35 pm. Ms. Gill seconded the motion and it was approved 7-0-0.

Documents Presented at the September 14, 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**
 - not presented
- **67 Main Street DEP #216-0822 proposal for roadway and drainage work**
 - no plan work never done
 - WPA Form 8 A submitted by DPS Dave D'Amico
- **36 Main Street DEP #216-0824 proposal for roadway and drainage work**
 - WPA Form 8 A submitted by DPS Dave D'Amico
 - Haley and Ward Inc Letter of Certification dated September 11, 2017
 - Plans titled, "Brentwood Drainage Improvements Lee Lane" by Haley and Ward, Inc. dated May 2016
- **66 Village Street DEP #216-0829 Charles River Pollution Control District proposal to complete improvements to the existing site for operation and compliance with NPDES**
 - Plans titled,
 - WPA Form 8A
 - Letter from CDM Smith titled, "Request for Certificate of Compliance" dated August 28, 2017
 - Plans titled, "Wastewater Treatment Facility Improvements Phase C" by CDM Smith, dated October 2013
 - Final Construction Control Document stamped by Maureen Neville and dated July 26, 2017
- **5 Elm Street DEP #216-0881 proposal to construct a single family home with septic, landscaping, driveway – continued nothing presented**

Request for Determination of Applicability

- **30 Main Street RDA-17-08 proposal to fill in non-jurisdictional wetlands, plant native species, add rip rap to stormwater discharge within the 0-100' of a Bordering Vegetated Wetland**
 - WPA Form 1
 - Plans hand drawn on 1954 Mortgage Plan

Public Hearing #1 – 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

- **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 revised sheets dated**

Public Hearing # 2 Notice of Intent 24 Puddingstone Lane (DEP#216-0909) proposal to install in-ground pool with associated shed and fencing and restore wetlands resource alteration and 0-25' No Disturb Area to a natural state

- **WPA Form 3**
- **Plans titled, “Proposed Site Plan 24 Puddingstone Lane Medway, MA” by GLM Engineering, dated August 12, 2017**

Public Hearing #3 – (continued from 7/13/17, 7/27/17, 8/10/17) Notice of Intent 33 Main Street DEP #216-0904 Paul Revere Estates Subdivision proposal to construct roadway, stormwater management system for 6 unit subdivision (lots not being approved, infrastructure only)

- **Order of Conditions draft**

Public Hearing #4 - continued (from 6/8/17, 6/22/17, 7/13/17, 7/27/17, 8/10/17, 8/24/17) 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

- **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**