



MEDWAY CONSERVATION COMMISSION MEETING
155 Village Street – Sanford Hall
Medway, MA 02053
7:30 P.M.
AGENDA
July 26, 2018

Agenda revised

Times are estimates only. Items may be taken out of order

7:30 p.m.

Call to order

7:30 PM Review Agenda Call to order: 7:36

- **Add topics not reasonably anticipated by the Chair 48-hours in advance**
- **Bridget - add 17 trotter Req Cert of Compliance, agenda didn't post right agenda, DT make motion to add to agenda DB seconded the motion and it was voted to approve 4-0-0**

Request for Certificate of Compliance

- **6 Pine Meadow Road (DEP #216-0885) proposal to construct a single family home with associated utilities, driveway, and lawn area**

The Agent, Ms. Graziano completed two site visits. The final was completed on July 16, 2018 and as of that date everything done according Order, noting the site area is stable, and there are no issues. The Agent requested that the applicant apply leaf litter and plantings at stone wall. There is no 2 year growing season required under the Order. The conditions in perpetuity: 9 (area where shrubs need to remain as natural), 10 (no leaves, lawn clippings in wetlands), 11 (no fertilizers).

The Chair, Mr. Travalini asked if there are any questions

Mr. Travalini makes motion to grant a Certificate of Compliance for 6 Pine Meadow Road (DEP #216-0885), conditions remaining in perpetuity are 9, 10, and 11. Mr. Blackwell seconded the motion and it was voted to approve 4-0-0.

- **44 Hill Street (DEP #216-0726) – proposal to construct an addition to an existing single family home**

The applicant's wife is now applying for a Certificate of Compliance. The Agent note that the project was completed in September 2006. The project is an addition to existing dwelling near garage. The Agent noted that on her site visit there was no erosion. She noted the project was permitted although, there is one gutter goes off to the buffer zone which is forested, and however, there was no erosion. It was noted that the gutters should have went into a dry well. The Agent noted there are no ongoing conditions.

Mr. Travalini asked if anybody have questions.

Per recommendation of our Agent, Mr. Travalini made a motion to grant a Certificate of Compliance for 44 Hill Street (DEP #216-0726). Mr. Blackwell seconded the motion and it was voted to approve 4-0-0.

- **23B Fairway Lane (DEP #216-0830) – proposal to construct an in-ground pool and associated patio**

The original applicant went to sell house, they asked for partial Certificate of Compliance the Conservation Commission for an in ground pool for a closing. The Agent note that at the time of the request the pool was completed, erosion controls up, but grass not growing. The Agent requested the erosion controls not be removed and the area reseeded. The Commission agreed recommend the issuance of partial so original owner could sell the house. The new owner/applicant agreed to take on Order with the title. The Agent sent letter to remind them of the open order and they forgot about it. Applicant needs building permit and can't get one with an open Order. The pool was shifted up on the property, but not closer to 25'ft buffer. The Agent noted that the work was performed in compliance with the Order.

Mr. Travalini asked if anyone had questions or comments.

Per recommendation of our Agent, Mr. Travalini made a motion to issue Certificate of Compliance for 23B Fairway Lane (DEP #216-0830). Mr. Blackwell seconded the motion and it was voted to approve 4-0-0.

- **17 Trotter Drive –construction of commercial building with parking, stormwater, landscaping and utilities**

The construction of the commercial building itself is outside the Commission's jurisdiction. The stormwater management areas is the only portion of development in jurisdiction. Mr. Travalini asked the Agent for her recommendation. She noted that she completed a site visit on July 17, 2018, where there were three items to address, hydroseed basin, and water testing from the Fire Department, and remove silt sacks from Trotter Drive. The Agent noted that there are perpetual conditions, the maintenance of stormwater system, which are #91-100.

Per recommendation of our Agent, Mr. Travalini made motion to issue a Certificate of Compliance for 17 Trotter Drive with condition #91-100 remain in effect in perpetuity. Mr. Blackwell seconded the motion and it was voted to approve 4-0-0.

Request for Determination of Applicability

- **8 Island Road (RDA-17-25) proposal to install footings for new enclosed porch**

The applicant Katherine Peters, was present where she presented the proposed work for the construction of an enclosed porch from an existing deck. The proposed work shall be on existing lawn. The footings are hand dug, the site is flat and therefore no erosion control need. Mr. Travalini requested that all excess soils from footing use under the deck, in landscaping or removed from property. The Commission discussed whether the pool and deck are still existing since they seem to not be constructed on the property but on a portion of the neighbors and within Bordering Land Subject to Flooding (BLSF). Ms. Peters noted that the deck had to be removed prior to closing because it was on the neighbor's property.

Per recommendation of our Agent and with associated conditions discussed at the meeting, Mr. Travalini made a motion to issue a Positive 5, Negative 3 for 8 Island Road (RDA-17-25) with any excess soil from footings will be removed from property. Mr. McKay seconded the motion and it was voted to approve 4-0-0.

Discussions

Discussion #1 – Vote and Sign letter of support for the Open Space and Recreation Plan

Mr. Travalini made a motion to sign the letter of support for OSRP. Mr. Blackwell seconded the motion and it was voted to approve 4-0-0.

Discussion #2 – Review Glen Brook Way new proposal for additional units and request to of the Zoning Board of Appeals to waive Medway Wetlands Bylaw Article XXI

Mr. Travalini noted that there is vernal pool habitat referenced within the in letter but there isn't any. Under interest of the act, wildlife habitat, not include it in the recommendation letter. Plan continues to show infiltration subsurface infiltrators. Tetra Tech recommends infiltration basin instead, easier to maintain. However, this puts additional work in the Riverfront Area. It was noted that stormwater is exempt from being counted as part of 10% as long as there is a 100' wildlife habitat corridor maintained. They still asking for a waiver to bylaw. The Agent noted that they are respecting the 25ft. Ms. Graziano is concerned that the ZBA waived bylaws, and the applicant could change plan and have houses up to the wetlands and then they do not have to pay fees. Mr. Travalini doesn't think it's likely. The Bylaw isn't providing better protection, 25ft buffer in 100ft of river.

Discussing our recommendations to the ZBA for requesting a waiver to bylaws and any comments from the Commission. Mr. Travalini agrees the Bylaw could be waived if they will respect the 25' but would like to negotiate fees, since there is an overall concern that they will need to hire a Environmental Monitor to monitor the project or some fee structure to support staff time in the field. The Agent noted that the ZBA already waived for Phase I.

The Agent wants to see soil testing for stormwater system. It was noted that the applicant is claiming redevelopment under the stormwater management standards. The Agent does not agreed this qualifies for that. She agreed to add the following at the Commission request for the ZBA recommendation letter to not recommend waiver, negotiate fees, stormwater, otherwise same as first letter.

Mr. Travalini makes motion to vote to issue the letter as discussed at this meeting. Mr. Blackwell seconded the motion and it was voted to approve 4-0-0.

Discussion #3 – Amphitheatre parking and other improvements

The Agent and Tina Wright (Chair of Open Space Committee) discussed parking improvements. Open Space Committee would like to set up a site visit. It was discussed that there is a small parcel on Village Street and Ms. Wright fully supports making this a parking area and trail down to the Amphitheatre parcel. Additionally, there is a proposed to redine the parking area near the mill condos and split rail fencing. It was noted that there has been trouble with people driving vehicles on to the Conservation Land, while nothing was damaged this should be prevented from happening. The Agent would like to have the Commission to work with Open Space Committee on this.

Discussion 4 - continued

7:45PM Public Hearings

Public Hearing #1 – Notice of Intent 30 Wellington Street (DEP #216-09XX) proposal to construct a single family home with driveway, landscaping and associated utilities

The applicant's representative was present Paul D Simone of Colonial Engineering for a proposal to construct a single family home on a vacant lot. Mr. DeSimone noted that the owner has applied for a Determination on the wetland delineation and it was approved. Currently, the lawn extends down to edge of wetlands, passive recreation (mowing lawn) in 25' buffer, wetlands are flourishing. He noted that the Lot structure 10.96% impervious and 16.54%, recharge areas for roof, no test holes have been completed, so it is not designed yet but will be designed by a Professional Engineer. There will be no grading as the house is in flat area, gradually slopes toward street. There is an intermittent stream runs through back of Bordering Vegetated Wetlands. The Agent recommended erosion control consist of compost socks and silt fencing, no orange snow fence due to wildlife casualties. As part of the proposed the applicant is agreeing to demolish the garage of the existing house. As this lot was approved by the ZBA to be subdivided into two parcels. Mr. Travalini asked to tie siltation line to corner of house. Agent noted that there was chickens shaving dumped in wetlands, this must be removed. Mr. Travalini requested that signs be installed at wetland line instead of markers. Mr. McKay asked that sign have language line, "Protected Wetland Area Do Dumping". Markers are good to prevent encroachment but a sign would be better as a reminder. The Commission requested that sign be established at wetland flags 3 and 8 (both properties). The wording required will be on the Order of Conditions.

The Agent requested 12" biodegradable compost socks for erosion controls with siltation fencing and no orange snow fencing, the chicken dust be removed from jurisdictional areas, add granite markers and/or to signage at WF 3 & 8, stockpile and store equipment. Mr. DeSimone noted that materials will be leaving site since there is no proposed grading, and no room to park vehicles. The Agent noted that she doesn't want to have stockpile on erosion control line since they may erode over. It was note to add condition to remove the existing garage and that there is no Engineering stamp for the subsurface infiltrator for roof runoff. Mr. Travalini says when can condition it must be provided. Infiltration might have to move depending on water table, but won't know until they dig. The Agent would like to see storage for 100 year storm. Mr. DeSimone stated that would be 7 inches, usual roof runoff is 2 inches. The Commission state that they oversee groundwater protection and we want to see it recharged not lost. It was noted that the Commission protects some of the following public drinking water, groundwater is a high priority. Applicant is willing to do it.

Mr. Travalini asked if anyone in audience wished to speak. Caren Carew spoke about being one lot for a long time abutters, originally it was one lot in 1945 at ZBA always sold as one lot. She noted that many neighbors were not in favor. An abutter noted that 32 Wellington vacant home with new out of state owners. They do not have a chance to voice their opinion on this matter. Abutters were concerned that they did not get noticed about Conservation. It was noted that a spring that pops up behind 32, another one underneath High Street, concerned about loss of land. The Commission discussed that the garage comes down prior to new house, absorb runoff. The area is very mushy and can get permeated with water. The Water Department was out to look at this spring when Lincoln Street which had flooding, Ms. Carew noted that she sees places where it floods, trees dying, has french drain in her house. The impact to her house and further down. It was noted that there were dry wells on plans for roof runoff. Concerned about garage coming down before new building and dense area of buildings.

The Agent stated she can condition the garage because it is in buffer zone. DT if it's in good shape we wouldn't take it down right? Drywells are designed to handle rain that hits the roof. 8 in storm will get

faster runoff. Drywell might overflow and faster rate into wetlands than if empty lot. Just needs to be designed properly.

Karen would want to make sure she got clarity on her questions. It's mucky down there sometimes.

DT might be an improvement....PDS 36x28sqft 24x24 garage

Karen says one neighbor is out of state right now and probably doesn't know about this hearings. We don't open hearings without green cards. Notifications. Applicant has done what he is supposed to do.

Applicant asked for a continuance for next meeting.

DT makes motion to continue to 8/9 for **30 Wellington Street (DEP #216-0922)**DB seconded the motion and it was voted to approve 4-0-0

Public Hearing #2 – 123 Main Street Notice of Intent (DEP #216-0920) for a proposal to install a water main connection

The owner was not present, but Paul D Simone the applicant's representative was present. He presented the background of the property being owned by Thomas Steeves and the property sits at the corner of Elm Street and Main Street. The owner is proposing to install a water line off of Elm Street. The owner had been working with DPS to execute a connection from Main Street and were planning for April 15, the owner is claiming DPS took payment and it was all set until MassDOT completed the sidewalk without their knowledge and now is stating they connect out in a water connection. This is why the applicant is now requesting to put the line in off Elm Street instead of Main Street.

The Agent worried that this is a special area, could be altered and drain the wetlands or cause other alterations to the wetland through this work and there is no sequence provided on how the proposed line would be installed in such a sensitive location. The Agent noted there is a driveway off of Main Street and the line could be put through there. Mr. DeSimone claims this cannot be done per DPS, the Agent claims she spoke with DPS and this would be allowed. Mr. Travalini would like a letter from DPS Dave D'Amico saying that they won't allow it prior to making a decision on this matter.

The Agent requested the applicant provide a waiver request for work within 0-25' of a wetland resource and a plan on how the construction would be implemented since the work would be within adjacent or within.

The lots are zoned for, commercial in front and residential in back. The applicant would like to construct a driveway to residential and zoning would have to issue a variance.

There was a discussion on installation of well.

The Commission requested the following items for the next meeting, letter requesting waiver of 0-25 ft, evidence of construction sequence to prove that not wetlands will be altered. The Agent stated she will talk to Dave D'Amico before next meeting.

Applicant requests to continue to next meeting on 8/9/19.

Mr. Travalini made a motion to continue to 8/9/19 for 123 Main Street Notice of Intent (DEP #216-0920). Mr. Blackwell seconded the motion and it was voted to approve 4-0-0.

Public Hearing #3 - continued (4/26/18, 5/10/18, 5/24/17, 6/14/18, 6/28/18) Notice of Intent (DEP #216-0918) 11, 13, 15, 17 Fairway Lane Timber Crest Estates Access Road proposal for access road construction for subdivision and proposed new sewer line (extension)

Applicant requested a continuance to next meeting 8/9/19.

Mr. Travalini made a motion to continue to 8/9/19 for Notice of Intent (DEP #216-0918) 11, 13, 15, 17 Fairway Lane Timber Crest Estates Access Road. Mr. Blackwell seconded the motion and it was voted to approve 4-0-0.

Public Hearing #4 – continued (9/14/17, 10/26/17, 11/9/17, 12/11/17, 12/28/17, 1/11/18, 2/8/17, 2/22/18, 3/8/18, 3/22/18, 4/12/18, 4/26/18, 5/10/18, 5/24/17, 6/14/18, 6/28/18) Notice of Intent DEP #216-0914 (Timber Crest Estates) Fairway Lane, Fern Path, Woodland Road, 102 Winthrop Street, 13 Ohlson Circle, 165 Holliston Street Map proposal to construct a subdivision roadway and infrastructures consisting of stormwater management system, and utilities

Applicant requested a continuance to next meeting 8/9/19.

Mr. Travalini made a motion to continue to 8/9/19 for Notice of Intent DEP #216-0914 (Timber Crest Estates) Fairway Lane, Fern Path, Woodland Road, 102 Winthrop Street, 13 Ohlson Circle, 165 Holliston Street. Mr. Blackwell seconded the motion and it was voted to approve 4-0-0.

Meeting Minutes

Approval of minutes 3/22/18, 4/12/18, 4/26/18, 5/10/18 (continuation only), 5/24/18, 6/14/18, 6/24/18

Mr. Travalini made a motion to accept the 4/12/19 minutes as amended. Mr. Blackwell seconded the motion and it was voted to approve 4-0-0.

Mr. Travalini made a motion to accept the 3/22/19 minutes. Mr. Blackwell seconded the motion and it was voted to approve 4-0-0.

Agent Report

Chair Report

Adjourn

Mr. Blackwell made a motion to adjourn the meeting at 9:43 pm. Mr. McKay seconded the motion and it was voted to approve 4-0-0.

Request for Certificate of Compliance

- **6 Pine Meadow Road (DEP #216-0885) proposal to construct a single family home with associated utilities, driveway, and lawn area**
 - Plans titled, “Septic System As Built Plans #6 Pine Meadow Road Medway, MA 02053” by McClure Engineering, dated 6-15-18
 - WPA Form 8a
- **44 Hill Street (DEP #216-0726) – proposal to construct an addition to an existing single family home**
 - Plans titled, “As-Built Plan of Land in Medway, MA” by Colonial Engineering, dated 7-2-18
 - WPA Form 8a
- **23B Fairway Lane (DEP #216-0830) – proposal to construct an in-ground pool and associated patio**
 - As-Built titled, “DEP no. 216-0830 Conservation As-Built Plan of Land in Medway, MA “ by Colonial Engineering, dated 8-3-2015
 - WPA Form 8A
- **17 Trotter Drive (DEP #216-0901) – proposal to construct a commercial building, parking and stormwater management**
 - Plans titled, “Record of Conditions Plan of Land Located in Medway, MA” by Meridian Associates, dated July 10, 2018
 - WPA Form 8A

Request for Determination of Applicability

- **8 Island Road (RDA-17-25) proposal to install footings for new enclosed porch**
 - Plan titled, “Mortgage Inspection Plan” by DeLauriers and Assocaites, dated August 10, 2016
 - WPA Form 1

Public Hearing #1 – Notice of Intent 30 Wellington Street (DEP #216-09XX) proposal to construct a single family home with driveway, landscaping and associated utilities

- WPA Form 3
- Plans titled, “Proposed Structure and Utilities, Plan of Land in Medway, MA” by Colonial Engineering, dated July 2, 2018

Public Hearing #2 – 123 Main Street Notice of Intent (DEP #216-0920) for a proposal to install a water main connection

- WPA Form 3
- Plans titled, “Proposed Water Line Plan of Land in Medway, MA” by Colonial Engineering, dated May 1, 2018

Public Hearing #3 - continued (4/26/18, 5/10/18, 5/24/17, 6/14/18, 6/28/18, 7/11/8) Notice of Intent (DEP #216-0918) 11, 13, 15, 17 Fairway Lane Timber Crest Estates Access Road proposal for access road construction for subdivision and proposed new sewer line (extension)

No discussed

Public Hearing #4 – continued (9/14/17, 10/26/17, 11/9/17, 12/11/17, 12/28/17, 1/11/18, 2/8/17, 2/22/18, 3/8/18, 3/22/18, 4/12/18, 4/26/18, 5/10/18, 5/24/17, 6/14/18, 6/28/18, 7/11/18) Notice of Intent DEP #216-0914 (Timber Crest Estates) Fairway Lane, Fern Path, Woodland Road, 102 Winthrop Street, 13 Ohlson Circle, 165 Holliston Street Map proposal to construct a subdivision roadway and infrastructures consisting of stormwater management system, and utilities

Not discussed

Discussion #1 – Vote and Sign letter of support for the Open Space and Recreation Plan

- Draft letter of support to Planning for Open Space and Recreation Plan

Discussion #2 – Review Glen Brook Way new proposal for additional units and request to of the Zoning Board of Appeals to waive Medway Wetlands Bylaw Article XXI

- Draft Letter to the Zoning Board of Appeals