



**MEDWAY CONSERVATION COMMISSION
PUBLIC MEETING
155 Village Street Sanford Hall
Medway, MA 02053
February 22, 2018
7:30 P.M.**

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on February 22, 2018 at Sanford Hall.

In attendance were members Dayna Gill, David Blackwell, David Travalini, Scott Salvucci, Ken McKay, Margery Queenan, Bridget Graziano and Tracy Rozak, Recording Secretary.

Absent Members: Brian Snow and Ken McKay

- The meeting was called to order by the Conservation Commission Chairman, Mr. Travalini at 7:38 pm. Mr. Travalini asked the members of the board if there were any additional items to be added to the agenda. Ms. Graziano stated she would like to add a discussion about Idlybrook and the management of invasive species and go over future management.

Mr. Travalini made a motion to add Ms. Graziano's request for a discussion about Idlybrook to the agenda. Ms. Gill seconded and it was voted to approve. 6-0-0.

Request for Certificate of Compliance

- **4 Homestead Drive (DEP #216-0566) proposal for the construction of a single family home, septic system, driveway and associated utilities**

Ms. Graziano stated she visited the site 3 weeks ago and measured the 25 foot buffer zone to put the markers in less conspicuous places on their lawn. She also went out again today and witnessed the installation of the granite bounds. Ms. Graziano noted two conditions that remain on the title in perpetuity Certificate of Compliance is granted. They are # 38 which states no dumping within 100 feet of the wetlands and # 40 which states the granite bounds will remain on site in perpetuity.

Mr. Travalini made a motion based on the Conservation Agents recommendation to issue a Certificate of Compliance for DEP #216-0566 with the conditions noted above, # 38 - no dumping within 100 feet of the wetlands and # 40 -that the granite bounds will remain on site in perpetuity. Ms. Gill seconded the motion and it was voted to approve. 6-0-0.

Discussions

Discussion #1- 1 Gray Squirrel Circle Update on Court Injunction/Enforcement

Ms. Graziano stated that the deadline was February 5th for the applicant to reconstruct the basin. They were supposed to take out the fill and hire a land engineer and land surveyor this was not completed, except for Paul DeSimone of Colonial Engineering. Ms. Graziano has gone out to the site several times and noted some progress has been made in the last 30 days but the basin has not been dug to grade, the Engineer was not hire to her knowledge, the fill in buffer zone has not been removed and the erosion controls have not been put in. They did excavate some portions of the basin in the last 4-5 weeks. Ms. Graziano stated the applicant will need to go back to court for contempt of court if they do not comply with the injunction and they will be asked why they have not complied with the preliminary injunction. Mr. Travalini asked if Eversource is involved. Ms. Graziano stated yes and they have a cease and desist order but they have not taken any action at this time. Mr. Travalini asked Ms. Graziano to contact Eversource and have them put the pressure on. Mr. Travalini stated they have not made a good faith effort as they have done almost nothing.

Discussion #2 Review of Annual Report 2017 and vote to accept

Ms. Graziano reviewed the report with the Commission. Ms. Graziano summarized the things they have been working on the past year which included; the work they did on the OSRP public forums, the Chicken Brook boardwalk, identified new invasive species, managed the mowing of the Adams Street fields, Timber Crest, Choate Park, Applegate, drafted the CR for Salmon, the acquiring of Millstone, Charles River Village, leasing of the community farm, and drafted the Stormwater by law.

Mr. Travalini made a motion to accept the Annual Report as presented. Mr. Salvucci seconded and it was voted to approve 6-0-0.

Discussion # 3 – Participation in Civil Day at the Medway High School

Mr. Travalini stated they received a request from the high school asking if a commission member and the conservation agent would like to participate in Civil Day at the school. Basically, they would like them to explain to their civics classes what our function is within local government. This will take place on Friday March 16th from 9-11:30 am. After a brief discussion, Ms. Graziano sated she will respond back that she and two members will attend.

Discussion # 4 - Vote to ratify an Emergency Certification for 17 Kimberly Drive

Ms. Graziano stated this was approved at the February 8, 2018 hearing but she was not present at that hearing and the vote to ratify an emergency certification was not signed at the meeting.

Mr. Travalini made a motion to ratify an Emergency Certification for 17 Kimberly Drive. Mr. Blackwell seconded and it was voted to approve. 6-0-0.

Discussion # 5 - OSRP Public Forum and Workshop

Ms. Graziano reminded the Commission about the second OSRP Public forum which will be held on March 12th at Thayer House at 7pm and the upcoming land management workshop that they will be participating in at the amphitheater.

Discussion # 6 -Idylbrook

Ms. Graziano would like to schedule a site visit with the Commission to look at the areas along the border of the active recreation areas and the passive recreation areas. She reported that there is a damaged tree out there that they would like to cut down. They could offer the larger pieces of wood to people for firewood and the branches can be left in the wood for habitats. They would like to take the tree down ASAP because they feel it is a danger because a big branch has already fallen off. Ms. Graziano will schedule the site visit after daylight savings begins.

Public Hearing #1 Notice of Intent (DEP #216-0915) 135 Holliston Street proposal to restore altered wetland resource (Bordering Vegetated Wetland) and 0- 25' No Disturb Zone through removal of fill (tested) and planting of vegetation

Mr. Joe Callahan, Senior Project Manager, ES&M Environmental and Engineering Solutions, Zack Whiting, owner of 135 Holliston Street, Lisa Caledoni, LSC Environmental Consulting and Evan Cuce, Environmental Scientist were present for the meeting.

Mr. Callahan stated he was hired by Mr. Whiting to test the fill to see if it the soils (fill soils) had contaminants of concern. The soil was sampled and sent for testing by a Licensed Site Professional (LSP) with no findings of contaminants of concern exceeding the state level requirements. There was a previous enforcement order on the property as illegal fill on the property. The current owner wants to remove the fill, restore the area and do what they want to do with the property. They will establish a clear limit of sediment and erosion controls and excavate the fill in the BVW wetland area with oversight from the wetland scientist, rake and stabilize the area. They will add screen loam and soil. Mr. Callahan stated he submitted plans for the wetland seed mix and the wildflower mix they plan to put down in the altered areas and the 25' buffer zone where disturbed. The seeded area shall remain in its natural state and the no touch zone will be clearly marked. The growing season will be monitored for 2 years and overseen by the wetland scientist.

Ms. Graziano stated she walked the wetland line and made the necessary changes and the changes are noted on the plan. There are some portions near the wetland line that do not have fill and portions of the flagged wetlands up to the line will be moved to create a new wetland line. Ms. Graziano stated Joe and Lisa dug test pits and they should monitor the removal of fill to determine the official wetland line. Ms. Graziano stated there were some trees cut down right outside the 25 foot zone. Mr. Callahan stated the trees that were cut down were compromising the electrical wires and were dead trees. Ms. Graziano stated she does not want any more trees cut down unless they go through her office under the proper permitting process. Ms. Graziano asked if there will be lawn in the 25 foot zone. Mr. Callahan stated there will be a wildflower mix but not an actual lawn, except on the site of the house with existing lawn and no fill or work is with in this area. The lawn that is there now will remain. Ms. Graziano stated this should be

clearly marked on the plans. Ms. Caledoni stated they will end up using a few different seed mixes.

Ms. Graziano stated the tree line needs to be shown on the plan and noted that they should have a monitoring plan for Japanese knotweed (bamboo). Mr. Callahan stated most of it will be removed with the fill and Ms. Caledoni will monitor the remaining areas. Ms. Graziano asked the Commission if they are happy with the planting plan which consists of red maples, ferns and blueberries etc. Mr. Travalini stated that he was. Ms. Graziano stated she would like to see about 4 highbush blueberries or Spicebush or any native species reviewed by the Commission or the Agent and approved would be acceptable. Mr. Travalini asked if anyone had any comments or questions. Mr. Blackwell asked if the metals were tested and the levels ok. Mr. Callahan stated they were tested and all were below residential standards. Ms. Graziano stated she will draft the order of conditions and give it to the applicant for review and they will meet again in two weeks.

Mr. Travalini made a motion to continue Notice of Intent (DEP #2160915) 135 Holliston Street to the March 8, 2018 meeting at 7:45 pm. Mr. Blackwell seconded and it was voted to approve 6-0-0.

Public Hearing # 2 – (Continued 9/14/17, 10/26/17, 11/9/17, 12/11/17, 12/28/17, 1/11/18, 2/8/17) 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

Ms. Graziano stated the applicant asked for a continuance.

Mr. Travalini made a motion to continue DEP #216- 0914 (Timber Crest Estates) to the March 8, 2018 meeting at 7:45 pm. Mr. Blackwell seconded and it was voted to approve 6-0-0.

Meeting Minutes

Approval of minutes

12/14/17 and 1/11/18

12/14/17 Meeting minutes – Danya Gill’s name should be corrected and the word board should be changed to commission.

Mr. Travalini made a motion to approve the December 14, 2017 meeting minutes with the corrections noted above. Ms. Gill seconded the motion. Ms. Queenan abstained and it was voted to approve 5-0-0.

1/11/18 Meeting Minutes – The meeting date should be corrected from 2017 to 2018.

Ms. Gill made a motion to approve the January 11, 2018 meeting minutes with the correction noted above and Mr. Blackwell seconded. Ms. Queenan abstained and it was voted to approve 5-0-0.

Ms. Queenan made a motion to adjourn the meeting at 8:44 pm. Ms. Gill seconded and it was voted to approve 6-0-0.

Agent Report

Nothing to report at this time.

Chair Report

Nothing to report at this time.

Next Scheduled Public Meeting:

March 8, 2018 at 7:30PM* Sanford Hall, Town Hall 155 Village Street, Medway, MA 02053

Respectfully submitted,

Tracy Rozak

Documents Presented at the February 22, 2018 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Public Hearing #1 - Notice of Intent (DEP #216 - 0915) 135 Holliston Street proposal to restore altered Wetland resource (Bordering Vegetated Wetland) and 0- 25' No Disturb Zone through removal of fill (tested) and planting of vegetation

- WPA Form 3 filled out
- Letter from LSC Environmental dated January 2, 2018 with regards to 135 Holliston Street
- Letter from ES&M dated January 24, 2018 supplemental to Notice of Intent
- New England Wetland Plants Inc – NE Wildflower seed mix and Wet Mix
Notice of Intent Addendum dated February 22, 2018 by ES&M
Plans titled, “Exsiting Conditions Plan of Land in Medway, MA” by Colonial Engineering, dated February 19, 2018 and revised February 22, 2018