



**MEDWAY CONSERVATION COMMISSION MEETING**  
**155 Village Street – Sanford Hall**  
**Medway, MA 02053**  
**7:30 P.M.**  
**Meeting Minutes**  
**October 10, 2019**

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on October 10, 2019 at Sanford Hall, Medway MA. In attendance were David Blackwell, Ken McKay, Scott Salvucci, Dayna Gill and Brian Snow.

Also present: Bridget Graziano, Conservation Agent

Absent: David Travalini

The meeting was called to order at 7:36 p.m. by David Blackwell who was acting Chair that evening.

The meeting started with Discussion #1, David D'Amico, DPW Director was present to discuss the proposed boardwalk sidewalk. He stated there would be some trees that would need to be removed but not a large amount. Ms. Gill asked what resources are in the area, Mr. D'Amico stated there is a stone wall and beyond that there are wetlands. Ms. Graziano states that yes the proposed project is near a wetland but it would be sitting up from it. Ms. Graziano states that since it is above the wetland and with clearing it doesn't seem to be a problem. They would need to mitigate with replacement plantings. Mr. Snow stated that this is a better plan than filling in the area. Mr. D'Amico proposed the idea of a cantilever but that would be expensive. They view an overlay plan, Mr. Salvucci asked for some pictures from Tetra Tech once available.

**Request for Determination of Applicability**

**7 Saddle Hill Road (RDA-20-06) proposal to remove 4 dead oak trees from the 0-25' buffer zone**

Michael Kassel of 10 Iarussi Way was present at the meeting. He stated that there are 4 dead Oak trees on his property and after a few years they are completely dead. Ms. Gill asked if an arborist has looked at the trees, Mr. Kassel stated that yes he did have them looked at but is still waiting on the confirmation letter from the arborist that they are dead. Ms. Graziano confirmed that they are dead as she observed during a site visit. Mr. Kassel stated that they are hazardous and would like to have them removed. Ms. Graziano stated that due to it being in the 25-foot buffer zone she would need the Commission to affirmatively vote to have them removed and propose a mitigation plan for replacement of the dead trees. Ms. Graziano discussed potential spots for the replacement plantings and asked about how the removal of the trees would take place. Mr. Kassel stated they would need a crane to remove one of the trees, he stated that the crane would be placed on the driveway and not anywhere else on the property. Ms. Graziano provided suggestions regarding use of the existing driveway, removal and no chipping of the stumps on the property, replanting and preservation of wildlife resources, etc. Ms. Graziano also explained that after the work is complete a follow up site visit would be necessary.

***Mr. Snow made a motion to issue a positive five, negative three determination for 7 Saddle Hill Road (RDA-20-06) with the following conditions herein and waiver the Bylaw for the removal of three trees within the 25-foot buffer zone:***

1. The applicant shall only allow machinery to access portions of the property necessary for the removal of the trees, this will take place within the existing driveway only. At no time shall the machinery enter into natural buffer zone locations or into the 25' No Alteration/Disturb zone.
2. Trees shall not be chipped and stumps shall not be removed from the ground. All tree limbs shall be removed from the property or left as is in the immediate vicinity of the cut tree. Do not place any tree pieces within the wetland unless there is a minimal amount spread over an area for wildlife habitat purposes.
3. The applicant shall plant 4 Red maples (*Acer rubrum*) or white oak (*Quercus alba*) or other approved native vegetation for the loss of vegetation. The applicant shall stake the locations of the vegetation and then request approval of the Agent and/or the Commission prior to planting. All proposed planting shall be native and approved by the Agent and/or the Commission. Once vegetation is planted the applicant shall schedule and execute a site visit with the Agent and/or the Commission to confirm the plantings were installed.
4. The Agent shall be contacted to schedule a site visit for the review of the trees removed to ensure there was no damage to the wetland resource during the removal of the trees. This shall be done no less than 14 days' post removal.
5. The Agent shall be contacted to schedule a site visit for the review of the trees removed to ensure there was no damage to the wetland resource during the removal of the trees. This shall be done no less than 14 days' post removal.

***Ms. Gill seconded the motion and it was voted to approve 5-0-0.***

### **12 Bramble Road (RDA-20-07) proposal to clear cut the buffer zone**

Bob Higgins of 12 Bramble Road stated they are proposing to clear their backyard for their children to have more yard to play. Ms. Graziano discusses the buffer zone and showed on photos of the existing area and discussed what he is proposing to do based off a site visit that was conducted. A question was raised about a pond nearby, Mr. Higgins stated it was a good distance from his property. The Commission inquired about how many trees he would like to remove, Mr. Higgins stated they would like to clear cut the area to make it flat and would plant grass. Ms. Graziano discussed the size of the area and concerns around the native vegetation that currently exists. There was a discussion about the pond and its current state. The Commission discussed the scope of this project and that it would be more necessary for the applicant to file for a Notice of Intent. Mr. McKay then explained the processes in regards to how a Notice of Intent is different from a Request for Determination of Applicability, he also discussed the pond and the habitat that need that pond to thrive. The Commission then discussed with the applicant what would be necessary in regards professional plans and certified surveying of the land. Ms. Graziano suggested the Commission do a site visit to get a better idea of the area. Ms. Graziano gave a more in-depth description of the Notice of Intent process to the applicant. The Commission decided to continue to October 24, 2019.

***Mr. Snow made a motion to continue 12 Bramble Road RDA-20-07 to October 24, 2019 seconded by Ken McKay voted to approve 5-0-0.***

### **Request for Certificate of Compliance**

### **10 Iarussi Way DEP 216-0931 - proposed to install an in-ground pool**

**158, 160, 162 Holliston Street (DEP #216-0661) – Proposed shared driveway to 3 ANR lots, wetlands replication**

**\*\*No discussion on Certificate of Compliance took place at this meeting.**

**Public Hearing #1– 4 Marc Road (DEP #216-0943) Notice of Intent removal of sediment from stream**

***Mr. Snow made a motion to continue the public hearing for 4 Marc Road DEP #216-0943 to October 24, 2019 at 7:45 p.m., seconded by Ms. Gill voted to approve 4-0-0.***

***\*Note David Blackwell left the room at 8:16 p.m. and returned at 8:20 p.m.***

**Public Hearing #2 – 79 Lovering Street (DEP #216-094x) proposal to construct a two family dwelling, driveway, utilities, and landscaping**

Michael Larkin, property owner was present with Paul DeSimone from Colonial Engineering. Mr. DeSimone discussed the site walk that took place and stated that they will be getting them a grading plan soon. Mr. Larkin discussed the land disturbance permit that is forthcoming. There is then a discussion around the definition of a land disturbance permit regulations and jurisdiction. There is a discussion around impervious surface and the run off to be directed to “BMPs” as well as drainage and what would be best for this property. The Commission advises the applicant and representative of the outstanding items being topography plan, land disturbance permit, granite bounds, roof drywells and siltation sacks.

The Commission then discusses 81 Lovering Street, they will be demolishing the barn and will need to file a Request for Determination of Applicability for that lot.

***Mr. Snow made a motion to continue the hearing for 79 Lovering Street Notice of Intent DEP #216-094X to October 24, 2019 at 7:45 p.m., seconded by Ms. Gill voted to approve 5-0-0.***

**Public Hearing #3 – 1 Sherwood Drive (DEP #216-0944) proposal to construct fencing with the 25’ No Alteration**

Ryan Speiss was present with Paul DeSimone from Colonial Engineering. Mr. DeSimone stated that Mr. Speiss is looking to add a fence to keep his dogs enclosed in the yard. The applicant came before the Commission when building the home and complied with all conditions then. There is a discussion of the plan presented to the Commission about the proposed area of the fence. There is lawn and shrubbery in the back of the lawn, Mr. Speiss stated the proposed fence would be placed along the lawn and no other vegetation to be disturbed. Mr. McKay inquired about why type of fence would be installed, Mr. Speiss commented that it would be a chain link fence. Ms. Gill asked if there would be any clearing, Mr. Speiss replied no. Mr. Snow stated that if Ms. Graziano goes out to the site and makes a recommendation to the applicant they would be comfortable with that. The asked the applicant to stake out the property and put the fence on the plan to be submitted.

***Mr. Snow made a motion to continue the hearing for 1 Sherwood Drive Notice of Intent DEP #216-0944 to October 24, 2019 at 7:45 p.m., seconded by Ms. Gill voted to approve 5-0-0.***

**Public Hearing #4 – 22 Evergreen Street (DEP #216-094X) proposal to construct two buildings with 7 residential units including associated parking areas, driveways, stormwater management system**

Anthony Verrichione was present with design engineer Ron Tiberi. The Commission brought up the land disturbance permit regulations again and if this project qualified for that type of permit as well. Mr. Verrichione stated he was at the meeting to represent his mother Maria Verrichione, managing partner of Sampson Pond, LLC. Mr. Tiberi gave an overview of the property, they are proposing to do a 7 building development that will be connected to Town water and sewer. The proposed homes will have a two car garage with two additional parking spots per unit. They will have infiltration basins at the front and rear of the property. They will fill the area of the driveway about two or three feet and intend on reducing the run off rates for the property. He stated they do not intend to encroach on any other buffer zones except the 100-foot buffer. They will be disturbing approximately 3,000 sq. feet in the 100-foot buffer zone. Mr. Tiberi explained they had a meeting with the Medway Planning and Economic Development Board and received some feedback, they will be going back to meet with them in a few weeks. Ms. Graziano stated that the Medway Fire Chief had a concern around the length of the road due to it not having a proper turnaround for a fire truck.

Mr. Snow commented on the intersection of Cottage Street and Evergreen Street having a flooding issue, Ms. Graziano stated she will follow up with David D'Amico from DPW about this. Ms. Graziano inquires about survey plan, Mr. Tiberi said it will be submitted at a later date. Ms. Graziano also stated a concern around doing construction within 4 feet of the 25-foot buffer zone. Ms. Gill asked that they label all pages in the plan indicate all buffer zone lines. Mr. Snow agreed with Ms. Gills concern and asked for an overview of the buffer zones. There is a discussion about the right side of the lot in regards to grading and maintenance. Mr. Tiberi stated that they have asked the Zoning Board for relief of the front setback to pull all proposed buildings closer to the street away from the buffer zone (\*please note that is not accurate information). There is a discussion around the infiltration system and that there is a garden proposed to be over the infiltration system. Ms. Graziano stated that the Operation and Maintenance plan needs to really be edited and resubmitted. She also asked about recharge in the 50-foot buffer zone. Ms. Gill inquired about the placement of snow storage and if the location is the best. Ms. Graziano stated she will send her comments to the applicant and engineer to review. Mr. Salvucci commented on the stormwater report and had some concerns around water quality volume and correct exfiltration rate is throughout the plans. There is a discussion about the fill to be brought on the property and that it will need to be tested, Mr. Tiberi stated they plan to bring around 12 yards of fill to the lot.

Cathy Murray of 17B Evergreen Street stated there has always been an issue with flooding in this area. She stated she is concerned about the traffic on the street as well.

John Grimes of 1 Royal Heights Drive stated that he is concerned about the water and wetland as water flows on to their property during the spring time. He inquired about how they are going to manage the extra water that will be generated from the property.

There is a discussion amongst the Commission about the increase in flooding to the area. Mr. Snow inquired about the density and what is allowed in that zoning district. Ms. Graziano inquired about the parking and if additional spaces were going to be proposed.

***Mr. Snow made a motion to continue the hearing for 22 Evergreen Notice of Intent (DEP #216-094X) to November 14, 2019 at 7:45 p.m., seconded by Ms. Gill voted to approve 5-0-0.***

#### **Public hearing #5 - Medway Wetlands Regulation Amendments**

***Mr. Snow made a motion to continue the Medway Wetlands Regulations Amendments public hearing to October 24, 7:45 p.m., seconded by Mr. Blackwell voted to approve 5-0-0.***

**Discussion #1** – Dave D'Amico review of proposal for boardwalk sidewalk at Milford Street for pedestrian use

\*This discussion took place at the beginning of the meeting.

**Discussion #2 - Tree Protection Bylaw Proposal**

***Mr. Snow made a motion to continue this discussion to October 24, 2019, seconded by Ms. Gill voted approve 5-0-0.***

**Meeting Minutes**

Approval of Minutes 1/10/19, 1/24/19, 2/14/18, 2/28/19

***Motion to accept the minutes from 1/10/19 and 1/24/19 as amended made by Mr. Snow, seconded by Mr. Blackwell voted to approve 5-0-0.***

**Agent Report**

No agent report

**Chair Report**

No chair report

**Adjourn**

***Motion made by Ms. Gill to adjourn the meeting at 9:33 p.m., seconded by Mr. Snow voted to approve 5-0-0.***

Respectfully submitted,

Stefany Ohannesian  
Administrative Assistant  
Community and Economic Development

**Documents Presented at the October 10, 2019 Meeting**  
All documents shall be kept in the Conservation Commission

**Public Hearing #2 – 79 Lovering Street (DEP #216-094x) proposal to construct a two family dwelling, driveway, utilities, and landscaping**

- WPA Form 3
- Plan titled, “Proposed Structure Plan of Land in Medway, MA” by Colonial Engineering, dated August 19, 2019

**Public Hearing #3 – 1 Sherwood Drive (DEP #216-0944) proposal to construct fencing with the 25’ No Alteration**

- WPA Form 3
- Plans titled, “Proposed Fence Plan of Land” by Colonial Engineering, dated August 7, 2019
- Letter titled, “Waiver Request” dated September 15, 2019

**Public Hearing #4 – 22 Evergreen Street (DEP #216-094X) proposal to construct two buildings with 7 residential units including associated parking areas, driveways, stormwater management system**

- WPA Form 3
- Plans titled, “Evergreen Village – 22 Evergreen Street, Medway, MA” by Ron Tiberi, dated September 4, 2019
- Stormwater Report by Ron Tiberi, not dated