



MEDWAY CONSERVATION COMMISSION MEETING
155 Village Street Sanford Hall
Medway, MA 02053
May 9, 2019, 2019 – 7:30 P.M.

The Medway Conservation Commission (CONCOM) held it's regularly scheduled meeting on May 9, 2019 at Sanford Hall, Medway, MA. In attendance were members, Dave Travalini, Brian Snow, David Blackwell, Dayna Gill, Ken McKay, Bridget Graziano, Con Com Agent, and Tracy Rozak, Recording Secretary. *David Blackwell arrived late at 7:41 pm

Absent: Scott Salvucci

The meeting was called to order by the Conservation Commission Chairman, Mr. Travalini at 7:40pm.

Mr. Travalini asked the members of the board if there were any additional items that anyone would like to add to the agenda. There were none.

Request for Determination of Applicability

- **Village Street Drainage RDA-19-17 proposal to replace a 6-inch cast iron water main with a 12-inch ductile iron pipe and replacement of a 18" steel drain pipe and add liner for structural support**

Mr. Dave D'Amico, Town of Medway was present for the meeting. He stated the Town of Medway is currently working on a strategy for a new water system. They decided they will build a treatment plant at Populatic Street. They are having some magnesium issues at the village well. The other one is ok. The way to fix this issue is to dilute with water. They want to build a transmission line to bring in the water to blend in. Phase 2 will bring the water to a new treatment plant. Mr. D'Amico stated they have a very old 6 inch main and an older 12 inch main. They will remove the 6 inch one and put in a 12 inch transmission main in Phase 1. There will not be a third well. Oakland would be the next one. We need to cross one culvert and the iron corrugated steel line won't withstand much and new water lines have to go underneath. They need to give it some structural integrity. It will mold to the shape of the drainpipe that is there now. It will be steam or UV cured. Steam cured has a fiberglass liner. It is a dry steam that blows off with a cap on each end. There is an outlet near the river. Mr. Blackwell asked how they will insure it doesn't get into the water. Mr. D'Amico stated the UV process has no water loss. The north side and the culvert has to be cleaned out, on the south side they will cut

into the drain pipe just underneath the road. Once the well is dry, they can push the pipe through. Right now it will slide underneath it. Mr. Snow asked about dewatering. Mr. D'amico stated they don't think they will have to do that. Agent Graziano asked if they can clean in front of culverts by hand. She is worried about over digging/ over excavation. Mr. D'Amico thinks it is just sediment and can be hand dug. Agent Graziano stated this needs to be done during dry conditions. Mr. D'Amico stated they can only do this in dry conditions. They are proposing filter mitts and compost socks. Mr. Travalini asked if there is a staging area. Mr. D'Amico stated they have some spots in mind if they need an area. Agent Graziano recommends using a compost filter mitt, no parking overnight outside the buffer zone, work is to be done only during dry conditions, any sediment should be removed with hand tools and all disturbed areas need to be reestablished or re-stabilized.

Mr. Travalini made a motion to issue a positive five negative three Request for Determination of Eligibility for Village Street Drainage RDA-19-17 with the conditions Agent Graziano listed above. Mr. Blackwell seconded the motion and it was voted 5-0-0.

Request for Extension to an Order of Conditions

14 Oak Street (DEP #216-0864) – proposal to construct a single family home, driveway, utilities and other landscaping as noted on approved plan

Mr. Fred Sibley was present for the meeting and he stated they need more time to complete this project. He thinks it will take about 3 years to finish.

Mr. Travalini made a motion to issue an extension to the Order of Conditions For 14 Oak Street (DEP #216-0864) for a term of 3 years. Mr. Snow seconded the motion and it was approved 4-0-0.

Discussion #1 - Ethan Fennyery presentation of proposed Eagle Scout Project

Mr. Fennyery from Boy Scout Troop # 367 was present for the meeting. He stated he is asking permission to start the project. They are going to build two ramps for two bridges for safety and accessibility purposes. He stated he will use the same design that is currently there. All cutting will be done off site so no worries about sawdust. He is going to lower the bridge that is shown on page two of his handout. Several other boy scouts will lift up the bridge and remove the large concrete blocks (or if too heavy, they will use jacks) and remove larger blocks and replace with smaller concrete blocks. Mr. Travalini stated the whole thing does not have to have concrete blocks underneath. He would like them to just put them on the corners and one in the middle. Mr. Fennyery stated he will take the concrete blocks off site for disposal or he mentioned there is a stockpile of them off to the back side now and they could put them there. Mr. McKay asked who designed the ramp. Mr. Fennyery stated he is designing it. Agent Graziano asked him to send her the final design. Mr. Travalini stated the Trail Committee will need to sign off on it.

Public Hearing #1 – 148 Summer Street Notice of Intent (DEP #216-0933) Proposal to install a replacement septic system and abandonment of the old system

Mr. Paul DeSimone was present for the hearing. Mr. Travalini asked Agent Graziano if she checked the delineation. She stated yes and she request it be amended based on her expertise. She noted that there was no vegetation as it was lawn so she augered the line upgradient to determine the line. It was discovered that wetland was converted to lawn as was the 0-25' buffer zone. Mr. DeSimone stated it was approved by the Board of Health or they said it was all set. Agent Graziano stated it looks as if the lawn has been a lawn for a number of years. Agent Graziano recommended they re-seed the wetland resource and 25 foot area. She would like the wetlands to be reestablished by using a wetland mix in that area.

Mr. Snow asked about the shed and suggested they could put one at 9 at 25 feet off of A3 and A5 and that would solve the whole back area. Mr. Travalini stated he is ok with leaving the shed there, he just doesn't want the area mowed. Mr. Snow suggested putting in a split rail fence. After a brief discussion, it was decided the applicant will put a spilt rail fence right on the lawn from flag A9 to A4. On the wetland side, they will spread a wetland mix. The applicant will revise the plan and submit it to Agent Graziano.

Mr. Travalini made a motion to continue 148 Summer Street Notice of Intent (DEP #216-0933) to the May 23, 2019 meeting at 7:45 pm. Mr. Blackwell seconded the motion and it was approved 5-0-0.

Public Hearing #2 - (continued from 3/28/19, 4/11/19, 4/25/19) 23 West Street/ 32 Stone Drive New England Power Notice of Intent DEP #216-0932) proposal to complete refurbishment of Transmission Lines 303&315/327/3520 through (3) structure replacements, widening of access roads, upgrades and work pad construction

Ms. Alison Milliman was present for the hearing and stated she was able to convince the project managers to use one of the existing the access roads. She also stated structure 436 is wrapped around the work pad so they will protect the 25 no disturb zone. The final change was to the wetland work pad. They added a barrier on the back side and the edges of the construction mats. It will be laid down without stakes. The commission felt this was a big improvement since the first plan. Mr. Travalini asked if anyone had any questions. There were none.

Ms. Milliman asked about a post construction requirement that asks that they provide a stamped As-Built plan. She stated they don't do engineered plans. Ms. Milliman asked if photographs, a detailed report and a professional statement from an environmental scientist stating everything was in compliance with the NOI plan. Mr. Snow stated a stamped plan is a standard requirement and he is surprised the company does not do stamped plans. Ms. Milliman stated she could have a surveyor do the grades. Agent Graziano stated she will require a final plan with photographs and a report signed by an Environmental Scientist.

Mr. Travalini made a motion to close the hearing for 32 Stone Drive New England Power Notice of Intent (DEP #216-0932). Mr. Blackwell seconded the motion and it was voted to approve 4-0-1.

Mr. Travalini made a motion to issue a NOI for 32 Stone Drive New England Power Notice of Intent (DEP #216-0932) with the change to condition # 46 sub condition 4-that the stamped As- built will not be required but a final plan, with letter, report and photos post construction signed by a wetland scientist will be required. Mr. Blackwell seconded the motion and it was approved 4-0-1.

Public Hearing #3 – (continued from 4/11/19, 4/25/19) 54R Adams Street Notice of Intent (DEP #216 -) proposal to construct a boardwalk across an intermittent stream and Bordering Vegetated Wetland and small footbridge east of the proposed boardwalk

Mr. Paul Atwood and Mr. Jim Wickis were present for the hearing. Agent Graziano stated she does not have the DEP # because there system was down but it has been authorized. Agent Graziano drafted the Order and stated she and Judy Schmitz from DEP went over a couple of items. They are labeling the altered resource area, as bank not a BVW. Judy asked the Agent if the proposed boardwalk would be constructed similar or the same as the other boardwalk, with breakaway capabilities in flood conditions. Agent Graziano noted that this was a design and a requirement of the last bridge and this one will be the same as the original. Agent Graziano noted that she will require engineered plans for the culvert replacement prior to construction to be approved by the Commission. Agent Graziano completed a site visit with Bobby McGee and saw there is a lot of sediment out there and an old asbestos concrete pipe. She would like to get rid of it and replace it. The pipe is about ten inches wide. Mr. Travalini stated she can put that into the order. Mr. Atwood stated DPW may have a standing contract with a company that does this type of repair and removal.

Agent Graziano read the following statement, “the Commission finds that this project proposal meets the provisions under 310 CMR 10.53 (3) (j) for the construction of a footbridge and Medway General Bylaw Article XXI Regulations and the performance standards under Section 3.02 Bordering Vegetated. Additionally, the Commission agrees to waive the 25’ no disturb for the minimal construction of ramps from the boardwalk totaling approximately 120 square feet. There is no proposal to remove vegetation to complete work within the 25’, except glossy buckthorn (invasive species). It was noted that all conditions of this Order must be met in order to meet the above mentioned provisions. The Commission additionally finds that the work must be conditioned to protect all interests of the MA Wetlands Protection Act and the Medway General Wetlands Protection Bylaw.”

Mr. Travalini made a motion to close the hearing for 54R Adams Street Notice of Intent (DEP #216 -). Mr. Snow seconded the motion and it was approved 4-0-1.

Mr. Travalini made a motion to issue an Order of Conditions for 54R Adams Street Notice of Intent (DEP #216-) with the following conditions that Agent Graziano read above. Mr. Snow seconded the motion and it was approved 4-0-1.

Public Hearing #4 – 26 Kelley Street Notice of Intent (DEP #216-09XX) proposal to construct a single family home with a crossing, wetlands replication, driveway, utilities, landscaping

Mr. Travis Brown was present for the hearing and stated a new Notice of Intent is being filed because the old one expired and they need this for the sale of property. He stated this is for a single family home with a culvert crossing a small wetland. Agent Graziano stated she had asked for the lines to be reflagged but this has not been done yet. Agent Graziano asked that the person who made the original plan state that he has reviewed it and there have been no changes. Mr. Travalini asked how many bounds are there. Mr. Brown stated there are 4 bounds. Agent Graziano stated she thought there was 24,000 square feet of disturbance but Linda stated it was 18,000 square feet. Mr. Brown stated 18,000 square feet is correct. Agent Graziano asked about the width of the culvert. Mr. Brown stated the culvert width is 9 foot 6.

Per the request of the applicant, Mr. Travalini made a motion to continue 26 Kelley Street Notice of Intent (DEP #216-09XX) his to the May 23, 2019 meeting at 7:45 pm. Mr. Blackwell seconded the notion and it was voted to approve 5-0-0.

Public Hearing #5 – 21 Trotter Drive Notice of Intent (DEP #216-09XX) proposal to construct 6, 900 square foot addition to the existing commercial building with associated parking, stormwater management system, restoration of buffer zone and wetland resource

Per the applicant's request, Mr. Travalini made a motion to continue 21 Trotter Drive Notice of Intent (DEP #216-09XX) to the May 23, 2019 meeting at 7:45pm. Mr. Blackwell seconded the motion and it was voted to approve 5-0-0.

Public Hearing #6 – 39 Main Street Notice of Intent (DEP #216-0934) proposal to constructed a 190 unit apartment complex with stormwater management system, parking, roads, landscaping, and utilities

Mr. Dan Merrikin from Legacy Engineering and Mr. Geoff Engler, the applicant were present for the hearing. Mr. Merrikin stated this is a comprehensive permit and was discussed at the zoning meeting. He stated they are not asking for any technical waivers. They are asking for a permit. The site is 39 Main Street and includes the existing house and the back land. Wetland is in the eastern portion of the lot as is the 100 year flood plain that varies in elevation. The applicant is not proposing any work in flood plain, BVW or 25 foot buffer. There is a field area in back and wooded uplands as shown on the picture. The proposed design is for an apartment building with a primary entrance, in/out to drop off area, units on both sides with green space in middle, with a double row of parking and emergency exits on both ends. There is a gravel

disturbed area off of the street that is already there. Mr. Merrikin stated he is aware of the Aegnts concern about the close proximity of work (on a slope) to the 25 foot buffer. He stated they are going to convert 50 parking spaces to compact spaces which are narrower and less deep. This will pull the limit of work back 5- 10 feet. There is a 15 to 16 foot grade differential from each side of the site. One side will be shut down and the other side will be filled up. They completed soil test pits and will use catch basins and man holes. The soil is sandy and gravel. They have erosion controls proposed along the edges. He spoke with Agent Graziano yesterday and they will make some tweaks to the O&M, Erosion Control and Stormwater plans. The landscaped areas are right around the building, there will be trees towards the outside of the property.

Ms. Gill asked how many trees they will be taking down. Mr. Merrikin was not sure but he will find out. Mr. Snow asked about the snow storage. Mr. Merrikin stated they are working on that and it will be in their next plan. Agent Graziano stated they don't have to use orange snow fence as turtles get stuck in it. She stated he can use orange siltation fencing. Mr. Travalini stated they should schedule a site walk and needs to see the new plan as well as the O & M plan. The retaining wall should be staked out before the site walk. Mr. Merrikin stated if they get Tetra Techs comments in one week, they won't be able to comment by the next meeting. The June meeting would allow him more time to look into the comments and respond. The Commission scheduled the site walk for June 22nd at 6pm.

As per the request of the applicant, Mr. Travalini made a motion to continue 39 Main Street Notice of Intent (no DEP# at this time) to the June 13, 2019 meeting at 7:45 pm. Mr. Blackwell seconded the motion and it was voted to approve 5-0-0.

Public Hearing #7- Medway Wetlands Regulation Amendments

Per the request of the applicant, Mr. Travalini made a motion continue this to the May 23rd meeting at 7:45 pm. Mr. Blackwell seconded the motion and it was voted to approve 5-0-0.

Discussions (con't)

Discussion #2- Vote to recommend candidate for BOS selection

William Goodwin, one of the candidates may be moving careers to a location that would not allow him to properly fulfill his duties on the Commission. So the Commission thought the other candidate, Keith Downing is probably more suitable.

Mr. Travalini made a motion to fill the opening on the Conservation Commission that Ms. Queenan vacated with Mr. Keith Downing and Mr. William Goodwin will be an associate member. Mr. Blackwell seconded the motion and it was voted to approve 5-0-0.

Discussion #3 – Review and editing of the proposed Tree Protection Bylaw

Not discussed.

Approval of meeting minutes 7/26/18, 12/13/18, 1/10/19, 2/14/18, 2/28/19, 3/14/19, 3/25/19, 4/11/19, 4/25/19

Agent Graziano stated she made some edits to the 4/25/19 meeting minutes and asked the commission to review the edits.

Mr. Travalini made a motion to accept the 4/25/19 meeting minutes as amended. Mr. Blackwell seconded the motion and it was voted 5-0-0.

No other minutes were approved at this meeting.

Agent Report

- Review the CPC proposal for funding

Chair Report

Adjourn

Ms. Gill made a motion to adjourn the meeting at 9:55pm. Mr. Snow seconded the motion and it was voted to approve 5-0-0.

Respectfully submitted by,

Tracy Rozak

Documents Presented at the May 9, 2019

All documents shall be kept in the Conservation Commission Office files

Request for Determination of Applicability

Village Street Drainage RDA-19-17 proposal to replace a 6-inch cast iron water main with a 12-inch ductile iron pipe and replacement of a 18" steel drain pipe and add liner for structural support

Request for Extension to an Order of Conditions

14 Oak Street (DEP #216-0864) – proposal to construct a single family home, driveway, utilities and other landscaping as noted on approved plan

Discussion #1 - Ethan Fenney presentation of proposed Eagle Scout Project

- Two photos of the bridge

Public Hearing #1 – 148 Summer Street Notice of Intent (DEP #216-0933) Proposal to install a replacement septic system and abandonment of the old system

- WPA Form 3
- Plan title, “ Septic System Construction 148 Summer Street, Medway, MA” by CIVILized Solutions, dated March 12, 2019

Public Hearing #2 - (continued from 3/28/19, 4/11/19, 4/25/19) 23 West Street/ 32 Stone Drive New England Power Notice of Intent DEP #216-0932) proposal to complete refurbishment of Transmission Lines 303&315/327/3520 through (3) structure replacements, widening of access roads, upgrades and work pad construction

- WPA Form 3
- Plan titled, “315/327/303/3520 Line Refurbishment Project Notice of Intent Map” by BSC Group for Eversource Energy, dated 3/6/19
- Expanded Environmental Notification Form 315/327/303/3520 Transmission Line Refurbishment Project

Public Hearing #3 – (continued from 4/11/19, 4/25/19) 54R Adams Street Notice of Intent (DEP #216-) proposal to construct a boardwalk across an intermittent stream and Bordering Vegetated Wetland and small footbridge east of the proposed boardwalk

- WPA Form 3
- Plan titled, “Plot Plan of Land in Medway” by Paul Atwood dated, February 21, 2019

Public Hearing #4 – 26 Kelley Street Notice of Intent (DEP #216-0936) proposal to construct a single family home with a crossing, wetlands replication, driveway, utilities, landscaping

- WPA Form 3
- Plans titled, “Conservation Plan” by Andrew Survey and Engineering, dated March 18, 2019
- Wetlands Replication Plan titled, “Lot 1 – Kelley Street Wetlands Replication Schedule” by B&C Associates Inc., no date but submitted in Notice of Intent Application

Public Hearing #5 – 21 Trotter Drive Notice of Intent (DEP #216-0937) proposal to construct 6, 900 square foot addition to the existing commercial building with associated parking, stormwater management system, restoration of buffer zone and wetland resource

- WPA form 3 – Notice of Intent for #21 Trotter Drive by Engineering Design Consultants, Inc” dated April 8, 2019
- Plan titled, “ 21 Trotter Drive a Site Plan in Medway, MA” by Engineering Design Consultants, Inc” dated April 8, 2019
- Stormwater Report titled, “ Stormwater Calculations for 21 Trotter Drive a Site Development located Medway, MA 02053” by Engineering Design Consultants, Inc” dated April 8, 2019
- Lands Disturbance Permit dated April 8, 2019

Public Hearing #6 – 39 Main Street Notice of Intent (DEP #216-0934) proposal to constructed a 190 unit apartment complex with stormwater management system, parking, roads, landscaping, and utilities

- WPA Form 3
- Plan titled, “39 Main Street Site Plan of Land” by Legacy Engineering, dated March 26, 2019
- Stormwater Management Report, by Legacy Engineering, dated March 26, 2019

Public Hearing #7- Medway Wetlands Regulation Amendments

No documents presented, hearing not opened.

Discussion #2- Vote to recommend candidate for BOS selection

No documents presented.

Discussion #3 – Review and editing of the proposed Tree Protection Bylaw

Not discussed.

