



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

January 28th, 2016

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on January 28, 2016 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Brian Snow, Scott Salvucci, David Blackwell, Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- The meeting was called to order at 7:34 P.M.
- CONCOM member Mr. Snow joined the meeting at 7:57 P.M.
- Conservation Commission Chairman, Mr. Travalini asked the members of the board if there are any additional items to be added to the agenda.

A motion was made by Mr. Travalini to add MACC meeting item to the Chair's Report. Motion was seconded by Mr. Salvucci and it was voted to approve 4-0.

Public Hearings

Continued Public Hearing #1 (12/10/15, 1/14/16) – 59 Winthrop Street Notice of Intent (DEP #216-0860) Proposal to construct a single family home with associated utilities, driveway and landscaping-

Special Conditions 8 and 14 were updated from the last time this agenda item was discussed.

A motion was made by Mr. Travalini that

- **the Commission hereby finds that the work proposed for construction of an addition to an existing single family dwelling, with associated utilities, driveway, and grading, and landscaping was presented at a public hearing where the applicant has presented evidence sufficient to demonstrate that the proposed activity shall have no impact on this wetland resource and meets the provisions under 310CMR 10.02(2)(b) & (3), 310CMR 10.05(4), and Medway General Bylaw Article XXI Regulations and the performance standards under Section 3.04 and 5. Additionally, the applicant has not proposed work within 0-200' riverfront area and the Bordering Land subject to flooding.**
- **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.**

- **Additionally, Medway CONCOM finds that the following conditions are necessary in order to protect the wetland resource for the duration of this proposed project. The Commission orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced in the Special Conditions, section of this Order. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control.**

The motion was seconded by Mr. Salvucci and it was voted to approve 4-0.

Continued (9/2/15, 9/10/15, 9/24/15, 10/22/15, 11/12/15, 12/10/15, 1/14/16) Public Hearing #2 Notice of Intent- 259, 261, 261R, 263 Village Street (DEP File #216-856) - Proposal to construct an Adult Retirement Community consisting of one main residence building for medical care, 60 assisted living and 56 independent living residential units and 15 attached cottages, 6 detached cottages, two story medical office building and a pavilion with associated wetlands crossings, parking, utilities, lighting, grading and storm water management system within the 100' buffer zone, bordering land subject to flooding, and the 200' Riverfront Area-

Mr. Shane Oates from Coneco Engineers & Scientists, Inc. was at the meeting with Mr. Michael J. Toohill from BSC Group, and Mr. Jeff Robinson from Continuing Care Management, LLC Salmon Health. Revised plans addressing member's comments at the earlier CONCOM meeting were presented and discussed. Mr. Oates went over Ms. Graziano's memorandum.

- **Mr. Toohill's comments:** A detailed habitat assessment was conducted by BSC Group with regard to a potential vernal pool located in the southwestern part of the site. Vernal pool habitat extending 100' in the BVW have been investigated. A report with the study findings was submitted to the Commission. Appendix B in the report focuses on the vernal pool/habitat area. Vernal pool habitat is 37, 426 Sq. Ft. (approx.) in size including the vernal pool itself. Vernal pool is 1,637Sq. Ft. in size. The area impacted due to the proposed project is 2,418 Sq. Ft. The proposed plans will be revised to include a barrier (rock wall) for amphibian migration between the proposed development. To protect the migrating amphibians, work will not occur during migration season. A "no work" period will be established from March 1 – May 1st. Landscaping plans were submitted to the Commission in December 2015.
- **Wetlands Replication Page (Sheet C44B) -** A report was submitted at the last CONCOM meeting detailing steps of wetland replication. Indigenous species will be planted on side slopes mostly shrubs. Two different types of seed mix will be used. Planting plans, schedules, and species are included in the report. More detail was requested on test pits TP-15-45 and TP-15-46. It was noted that during seasonal high water, test pit TP-15-45 has ground water at 6" and test pit TP-15-46 has ground water at 1', and therefore the Agent is concerned about the wetlands replication plans and proposed plantings being inundated with water during seasonal high groundwater. Members stated that as the field conditions arise, the variabilities must be shown on the plans. Buttonbush plantings will be added to the planting plan. The Agent requested that compost sock be used for erosion controls and a separate plan must be provided for herbicide application. A letter will be sent to the applicant with all additional concerns.

- **Compensatory Flood Storage Plans (Sheet C44 and C44A)** - Compensatory storage based on elevation is shown on the plans as requested by CONCOM. Two test pits were conducted and results were submitted to CONCOM in December 2015. List of waivers are provided on the cover sheet. The 6' width for moving the ATV was discussed. Ms. Graziano will check with Medway Fire Chief to confirm the width.
- **Sheet C44C**- In the flood storage compensation area invasive species should be removed under the proposed plan.
- **Sheet C2**- Chairman, Mr. Travalini stated that trails seem to be going close to potential vernal pools. Updated plans must show the revisions with the trail moved away from the pools. A planting schedule will be provided to the Commission.

Commissioners discussed looking into Medway by-laws for building structures in no-touch zones. There was discussion on the size of units and the measures that would be adopted if these units move towards the no-touch zone. The Agent noted that after speaking with the Building Inspector and for construction a minimum of 4' for foundation installation is needed and therefore structures on the erosion control line pose an issue for encroachment into 25' No disturbance. The applicant stated that the structure would be far enough away to no affect the 25ft. no-touch zone during and after construction. Members stated that woody vegetation on the slopes should be prevented.

DEP's requirement for forested habitat in the compensatory flood storage area to regain the riverfront area was discussed. Restoration seed mix will be used in the storage area.

Members stated that markers for 25' no-touch zones and vernal pools should be provided.

In the landscaping plan submitted to CONCOM last June, the Agent eluded to the disturbances in the wetland area. Applicant agreed to look into the plans and stated that any disturbance to the wetland area will be addressed/moved.

All responses to CONCOM's comments will be submitted by February 4, 2016.

Agent requested that a final set of plans must be submitted to the Commission referencing all revision dates for each sheet in the set.

Abutter Questions:

- **Anne C. Bradford, 3 Mishawaum Street**- Expressed concern about mosquitoes from the wetland area. Agent stated that there would not be standing water to breed mosquitoes.
- **Loretta & Henry Rednicki, 253 Village St.**- Asked about trees and vegetation in the back of her property. Response: There are wetlands at the back of the property and no work will be done in the referenced area.
- **Bill Goodwin, 5 Brookside Road**- Stated that the proposed retaining walls should be impervious to allow for migrating critters.
- **Jeremy Barstow, 4 Narragansett Street**- Asked about the procedure after the project is approved by Planning Board. Members stated that the Order of Conditions (public document) will be given/explained to the applicant with the expectation is that they comply with all conditions. CONCOM will get involved if any violation occurs.

A motion was made by Mr. Travalini to continue (DEP# 216-856) to February 11, 2016 at 8:30 P.M. The motion was seconded by Mr. Salvucci and it was voted to approve 5-0.

Discussions-

Discussion #1 – 135 Holliston Street Enforcement Order non-compliance and letter sent of notice

Mr. Biocchi and Ms. Graziano made a site visit in February 2015. There were complaints about dumping materials in wetlands. An enforcement order was issued by the earlier CONCOM Agent, Ms. Catrone for the same reason. Mr. Shane Brady, son of property owner, Ms. Lynne Brady was asked to clean up the dumped material in phases. Timelines were established for each phase and they were not adhered to. Ms. Graziano noted that he had not complied with the enforcement order. A letter was sent in December 2015 requesting him to attend CONCOM meeting and the Agent has not heard back. Commission agreed to issue a 21D ticket to the property owner.

Discussion #2- Proposed Amendments to Order of Conditions (DEP #216-0844) for 2 Lantern Lane-

Mr. Gary Feldman of 3 Bayberry Lane was at the meeting to explain the amendment to the Commission. He explained that the hay bale line ran between both the lots. The grading between 2 Lantern Lane and the lot behind it is the same. Silt fence needs to be moved out of the way. The wall down the side and stockpiles can be avoided if both the lots are graded together. An approval letter was received from the owner of lot 3. Building the wall was an option but was not part of the proposal.

A motion was made by Mr. Travalini to allow the minor amendment to the Order of Conditions for DEP# 216-0844 as per plans, add the letter dated December 10, 2015, plans dated 11/11/2015 and letter dated, November 17, 2015 seconded by Mr. Salvucci and it was voted to approve 4-0.

Discussion #3- Review of Trail Proposal for Adams Street to Lovering Street (Conservation owned parcel) and review of DCR Grant- CONCOM Agent, Ms. Graziano reported to the Commission about the public meeting and a presentation was made by Mr. Jim Wheeler on the trail proposal. Mr. Wheeler, a CPC member, Medway resident, and President of Upper Charles Conservation Land Trust made a presentation to the public on this topic on 1/27/2016. Three Medway Selectman, 1 CONCOM member, 2 Planning Board members, Town Administrator, Community Farm supporters and Iarussi Way residents were at the meeting. CONCOM will be meeting with Open Space in February 2016 to discuss the location and other aspects of the trails. There are three proposed boardwalks in the trail. Ms. Graziano suggested conducting a site walk with CONCOM Commissioner before February 11, 2016 meeting. A site walk was scheduled on February 6, 2016 at 10:00 A.M. Mr. Wheeler will be informed of the site walk.

Discussion #4 – 156, 158, 160, 162 Holliston Street sent notice of legal responsibility for expired Order of Conditions (DEP#216-0661 and 662) – This is the Narducci Development with four lots. Two different Order of Conditions were issued by CONCOM, one for 156 Holliston St. and the other for 158, 160, 162 Holliston Street. The only developed lots are 156 and 162 Holliston St. 158 and 160 Holliston St. have no units on them. The certificate of compliances were not closed on 158 and 160 Holliston St. lots. Due to a recent activity on the lots, notices were sent to the owners of 156 Holliston St. A letter was mailed to Mr.

Narducci requesting him to apply for a Certificate of Compliance. There has been no response. An enforcement order will be issued on the lots that have ongoing work.

Agent Report

- **72 Main Street – Tri-Valley Commons update on winter plans- This is all set said the Agent.**
- **129R Lovering Street – review of winter requirements-** Agent stated that all the requested requirements were met except at foundation 35, which hit the erosion controls. The erosion control needs to be re-established with straw bales after the completion of the foundation work. Members stated that the applicant must comply with the Order of Conditions.
- **Conway School Stakeholders Meeting is on February 3, 2016 at 7:00 PM at Thayer House-** This was a FYI to the Commission.
- **MACC meeting-** Meeting is on March 5, 2016. Chairman Mr. Travalini, encouraged everyone to attend the meeting.

A motion was made by Mr. Travalini to adjourn the meeting, seconded by Mr. Salvucci@ 10:40 P.M. All were in favor.

Respectfully submitted,

Sreelatha Allam
Minutes Clerk

Documents Presented at the January 28, 2016 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Public Hearings

Continued Public Hearing #1 (12/10/15, 1/14/16) – 59 Winthrop Street Notice of Intent (DEP #216-0860) Proposal to construct a single family home with associated utilities, driveway and landscaping-

- Medway Conservation Commission Order of Conditions-Part II for DEP# 216-860 dated January 15, 2015.

Continued (9/2/15, 9/10/15, 9/24/15, 10/22/15, 11/12/15, 12/10/15, 1/14/16) Public Hearing #2 Notice of Intent- 259, 261, 261R, 263 Village Street (DEP File #216-856) - Proposal to construct an Adult Retirement Community consisting of one main residence building for medical care, 60 assisted living and 56 independent living residential units and 15 attached cottages, 6 detached cottages, two story medical office building and a pavilion with associated wetlands crossings, parking, utilities, lighting, grading and storm water management system within the 100' buffer zone, bordering land subject to flooding, and the 200' Riverfront Area-

- Memo/Report on Detailed Wildlife Habitat Evaluation—PVP, prepared by BSC Group for Coneco Engineers & Scientists dated January 25, 2016.
- Coneco Engineers & Scientists impacts calculation sheet.
- Appendix D- Long Term Pollution Prevention Plan- Storm water Management Report dated June 12, 2015- REV 1/28/16.
- Letter from Coneco Engineers & Scientists to CONCOM with subject, “Potential Isolated Land Subject to Flooding” dated January 27, 2016.
- Salmon Health and Retirement Community ARCPUD Special Permit Site Plans, prepared by Coneco Engineers & Scientists for Continuing Care Management, LLC, dated June 12, 2015 – REV January 28, 2016.
- Storm water Management Calculations-
 1. Memo on Alternative Analysis prepared by Coneco Engineers & Scientists
 2. Storm water Technology: Sormceptor fact sheet #4- REV February 2003
 3. Technology Assessment Report, prepared for “The Massachusetts Strategic Envirotechnology Partnership (STEP)” dated December 1997
 4. Massachusetts stream crossings handbook, 2nd edition, June 2012
- Memo/ Report on Wildlife Habitat Evaluation, prepared by BSC Group for Coneco Engineers & Scientists dated December 7, 2015

Discussions-

Discussion #1 – 135 Holliston Street Enforcement Order non-compliance and letter sent of notice

- Enforcement Order from Medway CONCOM to Lynne and Shane Brady, 135 Holliston St. dated December 29, 2015

Discussion #2- Proposed Amendments to Order of Conditions (DEP #216-0844) for 2 Lantern Lane-

- Plan titled, “2 Lantern Lane Septic System Design Plan (Lot 4 Pine Meadow Rd)”, prepared by Faist Engineering, Inc, prepared for Ka Fai Management, Inc. dated 11-06-2014

Discussion #4 – 156, 158, 160, 162 Holliston Street sent notice of legal responsibility for expired Order of Conditions (DEP#216-0661 and 662) –

- Notice of Legal Responsibility sent to Ketel Patel, 156 Holliston St. from Medway CONCOM dated December 29, 2015
- Notice of Legal Responsibility sent to Michael Narducci, 162 Holliston St. from Medway CONCOM dated December 29, 2015
- Medway CONCOM Site visit notes for DEP# 216-0661 and 0662