

Commission Members
David Travalini, Chair
Dayna Gill, Vice Chair
Ken McKay
David Blackwell
Michael Narducci
Sean Green
James Dacier



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TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

CONSERVATION COMMISSION

Meeting Minutes
Thursday, October 26, 2023 – Virtual Meeting
Times are estimates only. Items may be taken out of order.
7:30 p.m.

Call to order

Commissioners Present: Dayna Gill, David Travalini, Ken McKay, David Blackwell, Sean Green, Jimmy Dacier

Commissioners Absent: Mike Narducci

Conservation Agent Present: Bridget Graziano

Community Members Present: Jeremy Thompson, Carol Collord, Robert Lussier, Charles Myers, Frank Holmes, Gary Kline, Greg Rucki, John Glossa, Justin Adams, Marc Bergeron, Lauri Kline, Barry Fogel, Ancelin Wolfe, David Faist, Estevao Costa, John Burns, Peter Bemis, Paul DeSimone, Ashley Thomas, Joshua Cook

Call to Order: At 7:41 p.m., Mr. Travalini called the meeting to order. He confirmed the virtual presence of the following individuals: Blackwell: here, Gill: here, McKay: here, and Travalini: here.

Announcement: *This meeting is being broadcast and recorded by Medway Cable Access.*

Pursuant to the provisions of Chapter 2 of the Acts of 2023, under which public bodies retain the option of holding open meetings and hearings remotely until March 31, 2025, and in accordance with the Medway Select Board's remote participation policy as amended at its July 2, 2021, meeting, Conservation Commission members will be participating remotely.

7:45 PM Review Agenda

There were no topics that were not already anticipated by the chair.

Request for Certificate of Compliance

- **274 Village Street DEP #216-0940** – proposed construction of multi-family condo development

with roadway and stormwater management utilities

Greg Rucki was here to address this matter. Ms. Graziano shared the site plans on screen. Mr. Rucki discussed with the Commission the railroad track easement on the property and plantings. The Commission noted outstanding items.

At 7:48 PM Sean Green entered the meeting virtually.

VOTE: Ms. Gill offered a motion to continue the Request for Certificate of Compliance for 274 Village Street DEP #216-0940 to the November 8, 2023, meeting. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Travalini: aye, McKay: aye, Green: aye and Gill: aye. VOTE 5-0.

- **4 Marc Road (DEP #216-0943)** – proposal to construct a new stormwater management system and excavate the existing intermittent stream of sedimentation from the old stormwater management system.

This item was not addressed at this meeting.

- **28 Milford Street (DEP #216-0946)** - proposal to construct a single family home with AFDU, driveway, removal of old house, landscaping and utilities

Paul DeSimone was present to address this matter. Ms. Graziano shared she completed a site visit on October 24, 2023 and noted the site was stable.

VOTE: Ms. Gill offered a motion to grant a Certificate of Compliance for 28 Milford Street DEP #216-0946 with ongoing conditions 9, 10 and 11. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Travalini: aye, McKay: aye, Green: aye and Gill: aye. VOTE 5-0.

- **148 A Main Street (DEP #216-0204)** – proposal to construct a duplex

VOTE: Ms. Gill offered a motion to grant the Certificate of Compliance for 148 A Main Street DEP #216-0204. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Travalini: aye, McKay: aye, Green: aye and Gill: aye. VOTE 5-0.

Request for Determination of Applicability

- **8 Brandywine Road (RDA-23-13)** – proposal to expand the existing deck, waiver needed for work in the 0-25' No Disturb Zone

Gary Kline and Lauri Kline were present to address this matter. Ms. Graziano shared the site plans on screen. Mr. Kline described the existing deck and replacement plan. The Conservation Agent noted close distance to the resource area on site. The Commission proposed plantings to restore the lawn.

VOTE: Ms. Gill offered a motion to grant a Waiver under section 21.2B of the Wetlands Bylaws via Section 29 of our regulations. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Travalini: aye, McKay: aye, Green: aye and Gill: aye. VOTE 5-0.

VOTE: Ms. Gill offered a motion to approve the Request for Determination of Applicability with a Positive 5, Negative 3 with special conditions as outlined by Ms. Graziano. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Travalini: aye, McKay: aye, Green: aye and Gill: aye. VOTE 5-0.

- **181 Holliston Street (RDA-23-14)** – proposal to install a replacement septic system

John Glossa was present to address this matter. Ms. Graziano shared the site plans on screen. Mr. Glossa discussed an overview of the site in relation to the wetlands. The Conservation Agent noted a flagging issue.

At 8:25 PM Jimmy Dacier joined the meeting virtually.

VOTE: Ms. Gill offered a motion to approve a Determination of Applicability with a Positive 2A, Positive 5, Negative 3 for 181 Holliston Street RDA-23-14 with the following conditions as outlined by Ms. Graziano. Mr. Blackwell seconded this motion, which passed. Blackwell: aye, Travalini: abstain, McKay: aye, Green: aye, Dacier: aye and Gill: aye. VOTE 5-1 abstained.

- **13 Liberty Road (RDA-23-15)** – proposal to install a replacement system

Paul DeSimone was present to address this matter. Ms. Graziano shared the engineering plans on screen. The Conservation Agent shared she completed a site visit and recommended extending the erosion control lines along the driveway.

VOTE: Ms. Gill offered a motion to issue a Determination of Applicability for 13 Liberty Road RDA-23-15 with a Positive 2A, Positive 5 and Negative 3 with the following conditions as outlined by Ms. Graziano. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Travalini: aye, McKay: aye, Green: aye, Dacier: aye and Gill: aye. VOTE 6-0.

Discussions

Discussion #1 – Tree Preservation Bylaw vote to submit for Fall Town Meeting

Mr. Travalini noted the Commission went in front of the Select Board on Monday October 23, 2023 and that the Finance Committee voted to approve the Bylaw.

Discussion #2 – Enforcement Orders – vote to ratify issued Orders

- 8 Waterside Run

VOTE: Ms. Gill offered a motion to ratify the issued Enforcement Order for 8 Waterside Run. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Travalini: aye, McKay: aye, Green: aye, Dacier: aye and Gill: aye. VOTE 6-0.

Discussion #3 – Salmon Retirement Community review of lapsed Order of Conditions DEP #216-0854 with Peter Bemis (representative)

Peter Bemis was present to address this matter. Mr. Bemis shared the site plans on screen and noted the areas to

be developed for the Commission's information.

Discussion #4 – Vote to accept and sign the License Agreement for Idlebrook Conservation Land with the Medway Community Farm

Carol Collord was present to address this matter. Ms. Collord noted an insurance requirement on the renewal as sent to the Commission.

VOTE: Ms. Gill offered a motion to grant the license agreement for Idlebrook Conservation Land with the Medway Community Farm from October 27, 2023 to October 27, 2024. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Travalini: aye, McKay: aye, Green: aye, Dacier: aye and Gill: aye. VOTE 6-0.

7:45 PM Public Hearings

- **Public Hearing #1 – 39 Alder Street (DEP #216-1036) Notice of Intent and Land Disturbance Permit** – Proposal to construct a metal commercial building with associated paved parking area, paved outdoor equipment storage, fueling station, and utilities

David Faist and Estevao Costa were present to address this matter. Mr. Faist requested a continuance and updated the Commission on changes to the plans.

VOTE: Ms. Gill offered a motion to continue Public Hearing #1 39 Alder Street DEP #216-1036 to the December 14, 2023 meeting at 7:45 PM. Mr. Travalini seconded this motion, which passed unanimously. Blackwell: aye, Travalini: aye, McKay: aye, Green: aye, Dacier: aye and Gill: aye. VOTE 6-0.

- **Public Hearing #2 – 49 Milford Street (DEP #216-1035) Notice of Intent** – Proposal to construct an electric charging battery storage facility

Justin Adams, Frank Holmes, Barry Fogel and Marc Bergeron were present to address this matter. Mr. Bergeron noted the latest plan submissions. The Conservation Agent, Mr. Bergeron, Mr. Fogel and Mr. Adams discussed plans for how to provide the emergency documents to Fire Department and Emergency Response personnel.

VOTE: Ms. Gill offered a motion to continue Public Hearing #2 for 49 Milford Street DEP #216-1035 to the November 8, 2023 meeting at 7:45 PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Travalini: aye, McKay: aye, Green: aye, Dacier: aye and Gill: aye. VOTE 6-0.

- **Public Hearing #3 – 56 Summer Street (DEP #216-1033) Notice of Intent** proposal to construct a xx unit development with roadway, stormwater management system

VOTE: Ms. Gill offered a motion per the request of the applicant to continue Public Hearing #3 56 Summer Street DEP #216-1033 to the November 8, 2023 meeting at 7:45 PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Travalini: aye, McKay: aye, Green: aye, Dacier: aye and Gill: aye. VOTE 6-0.

Meeting Minutes

Approval of Minutes 10/13/22, 8/17/23, 10/12/23

This item was not addressed at this meeting.

Agent Report

ADA Accessible Trail update

Ms. Graziano shared that the signs are being ordered and the trail should be done by the end of November.

Chair Report

This item was not addressed at this meeting.

Motion to adjourn: At 9:42 p.m. Mr. Dacier motioned to adjourn. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Travalini: aye, McKay: aye, Green: aye, Dacier: aye and Gill: aye. VOTE 6-0.

Next Scheduled Public Meeting: November 8, 2023, at 7:30 PM *Virtually

Document Presented at the October 26, 2023, meeting:

All documents shall be kept in the Conservation Commission Office files.

Request for Certificate of Compliance

274 Village Street:

- WPA Form 8A
- Plans titled, “William Wallace Progress As-built Plan of Land” by Legacy Engineering

Public Hearings

39 Alder Street:

- WPA Form 3 submitted on May 2, 2023
- Plans titled, “ETS Properties LLC 39 Alder Street Medway, MA” Sheets EX-1, C1-4.1 by CMG and O’Driscoll Land Surveying, Inc., dated April 12, 2023
- Stormwater Report by CMG, dated April 12, 2023
- Land Disturbance Permit Application dated April 24, 2023

49 Milford Street:

- WPA Form 3 – Notice of Intent – Medway Grid Storage Project, by Epsilon, dated June 8, 2023
- Plans titled, “Medway Battery Energy Storage System NOI Plan Set” by Langan Engineering, dated June 8, 2023
- Stormwater Management and Land Disturbance Permit Application – Medway Grid Energy Storage Project, by Epsilon, dated June 8, 2023
- Stormwater Management Report for Medway Grid Storage Project, by Langan, dated June 8, 2023

56 Summer Street:

- WPA Form 3 Notice of Intent with project description by RMG Environmental, received June 26, 2023
- Stormwater Management Analysis, by RMG Environmental, received May 25, 2023
- Operations and Maintenance Plan during Construction, by RMG Environmental, received June 5, 2023
- Land Disturbance Application received June 26, 2023
- Plans titled, “Mockingbird Land 56 Summer Street, Medway, MA”, by RMG Environmental, received May 25, 2023