



**TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
CONSERVATION COMMISSION
Medway Town Hall 155 Village Street Medway, MA 02053
Telephone (508) 533-3292**

Remote Meeting - November 12, 2020 7:30 pm

<u>Members</u>	Present	Absent	Arrive Late/ Leave Early	Step Down for Hearing?
David Travalini (Chair)	X			
David Blackwell	X			
Scott Salvucci	X			
Brian Snow		X		
Dayna Gill	X			
Ken McKay	X			
Keith Downing		X		
Agent				
Bridget Graziano	X			
Consultant/Other				

Call to order Announcement – This meeting is being broadcast and recorded by Medway Cable Access Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, no in-person attendance of members of the public will be permitted at this meeting. Board members will be participating remotely. For public hearings, access via Zoom is provided for the required opportunity for public participation. Members of the public who wish to watch the meeting may do so on Medway Cable Access: channel 11 on Comcast Cable, or channel 35 on Verizon Cable; or on Medway Cable’s Facebook page @medwaycable. Information for participating via Zoom is posted at the end of this Agenda.

Mr. Travalini called the meeting to order at 7:33 pm.

Mr. Travalini asked if anyone had anything to add to the agenda. Ms. Graziano stated she would like to add a discussion about the Eagle Scout project to the agenda.

Mr. Travalini made a motion to add a discussion about the Eagle Scout project to the agenda. Dave Blackwell seconded the motion and Ms. Gill, Mr. Salvucci and Mr. McKay stated aye they were in favor and it was voted to approve 5-0-0.

Request for Certificate of Compliance Request for Determination of Applicability

Juniper Road (RDA-20-29) – proposal to remove 5-6 trees

Rachel and Joel were present for this meeting. Ms. Graziano stated they decided to only do the two damaged trees in the back. Mr. Travalini stated he, Ms. Graziano and Ken McKay went out to look at their property and it looked like a mini hurricane hit their property. Two of the trees were found to be beyond repair and in danger of dying and falling. He will allow those two trees to be removed.

On November 12, 2020 public meeting, Conservation Commission approved and signed, a Positive 5 and Negative 3 Determination, for the work proposed in your Request for Determination, filed with the Commission on October 9, 2020 and continued for a site visit at the October 22, 2020 meeting. The proposed work will take place within the 25' - 100' of a Bordering Vegetated Wetland. The proposed work (amended on November 6, 2020 emailed), which includes the remove of 2 trees Pinus strobus (White Pine), may be carried out in observance of the following conditions:

- 1. The applicant has agreed to only allow machinery to access portions of the property necessary for the removal and pruning of trees, this will take place within lawn area only. At no time shall the machinery enter into natural buffer zone locations or into the 25' No Alteration/Disturb zone. The only trees approved for removal are those reviewed by the Agent during the site visit on November 4, 2020, 2 Pinus strobus (White Pine).***
- 2. Trees shall not be chipped in the buffer zone and stumps shall not be removed from the ground. The applicant may have the stump ground (but left in place) for the both Pinus strobus (White Pine). All tree limbs shall be removed from the property or with the Agent and/or Commission permission spread over an area for wildlife habitat purposes.***

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.

Mr. Travalini made a motion to issue a positive five, negative three determination for RDA-20-29 Juniper Road for the removal of two white pines with the conditions that are listed above. Mr. Blackwell seconded the motion and Mr. McKay, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

3 Bedelia Lane (RDA- 20-32) - Proposal to install deck and fencing

Ms. Christine Hayes and Mr. James Rucki were present for the meeting. Ms. Graziano put the plan up on the screen. Mr. Travalini asked if this will be going on the existing lawn. Ms. Hayes stated yes. Ms. Graziano stated it is 44 feet from the wetlands. She explained this is an after the fact permit as the deck already exists and requires a permit from conservation. Ms. Graziano stated there is an expired order of conditions on the property. It has a number of conditions that need to be complied with. Ms. Hayes and Mr. Rucki will work with the original owner and finish the As- built. There is lawn right up to the 25 foot line. Mr. Rucki stated the slopes need to be re-graded and seeded and this will be done by November 20th. Mr. Travalini stated the seed is unlikely to take hold so a straw mat should be used. Ms. Graziano stated the Commission could issue the RDA tonight and if the items are not completed by November 20th they can issue an enforcement order to comply with the conditions. Ms. Graziano stated the Stormwater reports and the As- built should be received by December 9th or they will issue an enforcement order. Mr. Rucki asked if they could put down sod instead of seed to expedite the process. Mr. Travalini stated he would put seed down and wait for it to germinate.

On November 12, 2020 public meeting, Conservation Commission approved and signed, a Positive 5 and Negative 3 Determination, for the work proposed in your Request for Determination, filed with the Commission on October 24, 2020. The proposed work for the construction of a deck 20' x 31' will take place approximately 44' from a Bordering Vegetated Wetland. The proposed work, which includes the construction of a deck, may be carried out in observance of the following conditions:

- 1. The applicant shall supply an As-Built Plan of the property including all structures on the lots or the Condominium Association by December 9, 2020.*

Mr. Travalini made a motion to issue a positive 5, negative three determination for RDA20-32 on 3 Bedelia Lane with the conditions listed above. Dave Blackwell seconded the motion and Mr. McKay, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

13A Fisher Street (RDA-20-33) – Proposal to install a pool house/cabana

Mr. Ryan Walsh was present for the meeting. Ms. Graziano stated the pool already exists and the pool house /cabana will be on existing lawn. It will be 95 feet away from the wetlands.

On November 12, 2020 public meeting, Conservation Commission approved and signed, a Positive 5 and Negative 3 Determination, for the work proposed in your Request for Determination, filed with the Commission on October 29, 2020. The proposed work for the construction of a pool house/cabana will take place 90' -100' from Bordering Vegetated Wetland. The proposed work, which includes the construction of a pool cabana, may be carried out in observance of the following conditions:

- 2. **The Applicant only if required by the Agent and/or the Commission** shall perform the following, prior to the commencement of work, establish a limit of work barrier using compost (filter) mitt (straw wattles are NOT PERMITTED) per approved site plan titled, "Certified Plot Plan Locate at 13a Fisher Street, by Contintential Land Survey, LLC, date October 16, 2020. The Conservation Agent shall be notified when this barrier is in place, prior to the commencement of any work, so that she may make an inspection. The Conservation Commission reserves the right to require additional erosion and/or damage prevention controls it may deem necessary.*
- 3. All excavated soils shall be removed from the property or piled outside the Commission jurisdiction. Any and all disturbed areas within the 100' buffer zone shall be seeded post-construction.*
- 4. The applicant shall contact the Agent to schedule a site visit, once the project is completed, and placed in the proposed approved location, in order to verify the location matches the approved plans titled, "Certified Plot Plan Located at 13 A Fisher Street" by Continental Land Survey, LLC, dated October 16, 2020.*

Mr. Travalini made a motion to issue a positive five, negative three determination for RDA 20-33 13A Fisher Street with the conditions listed above. Dave Blackwell seconded the motion and Mr. McKay, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

Discussion 1 – Enforcement Order issued for 26 Evergreen Street – gaming court in the wetland vote to ratify the issued Enforcement Order issued on October 15, 2020 7:45PM

Sophia Pikul, Spanish translator, John Guzman and Maria Tacuri were present for the meeting. Ms. Graziano stated she issued an enforcement order for the wetland violations. Ms. Graziano asked if Maria was able to hire a land surveyor. Maria stated she called but they did not come yet. He was supposed to come but didn't so now he is supposed to come next week. Ms. Graziano asked what the name of the company is. Marie stated she did not know. Ms. Graziano asked what is the name of the person she spoke to. Maria stated he is going to ask now. The company is called PD Remodeling Inc. John stated the person's name is Tercio Dave Masceno and the number is 617-778-3448. Ms. Graziano asked if they can schedule a site visit. Maria stated yes and it was scheduled for November 18th at 3:00pm at 26 Evergreen Street. Ms. Graziano asked Sophia to explain to Maria if the company does not come out then she will have to issue her a ticket.

Mr. Travalini made a motion to ratify the enforcement order for 26 Evergreen Street. Mr. Blackwell seconded the motion and Dave Blackwell seconded the motion and Mr. McKay, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

Eagle Scout Project Discussion

Ryan Hopkins, Eagle Scout was present for the discussion and stated he has been working with Mr. Wickis on improving the Adams Street Bridge. The plan is to build two ramps on either side to make it easier to use the bridge. They will build the ramps off site and have them brought in and have a bunch of kids raise the bridge (about half a cinder block high) and attach the ramps and lay them down. They will not be anchoring them down. Ryan asked if he can move some rocks if they are in the way. Mr. Travalini stated yes, he can just roll them off to the side. Ryan plans to do this project this December or next Spring depending on the weather. He will give the Commission a copy of the paperwork to sign. A site visit was scheduled for November 18th for the Commission to meet with Ryan and his parent or a Scout Leader.

Public Hearing #1 – 31 Fairway Lane (DEP #216-0966) Notice of Intent – proposal to install an in ground pool

- WPA Form 3
- Plans titled, "Plan to Accompany Notice of Intent 31 Fairway Lane, Medway, MA" by O'Driscoll Land Surveying, Inc., dated October 21, 2020

Mr. Dan O'Driscoll was present for the hearing and read the green card names to Ms. Graziano and she checked them off. Ms. Graziano shared the plan on her screen. Mr. O'Driscoll stated the proposal is to build a pool in the buffer zone. There is a storm water basin that is closest to the wetland and a wetland behind it. There is a drainage swale that runs into it. The pool will sit outside the drain easement on a lawn area and will be 42 feet from the wetlands and the fence will be 26 feet from the wetlands. The access to the site will be from the existing driveway and a stockpile will be at the end of driveway and the erosion control barrier will be around all of it. Ms. Graziano stated she went out and did the wetland flags and added the drainage swale. There is a berm between the basin and the wetland. They pulled the fencing out of the drainage easement area. The erosion control will be compost sock and siltation fencing. Ms. Graziano stated they will condition it so that the pool water cannot go into the basin or the street. There were some Christmas trees in the basin that were cleaned out by the owners. Mr. Travalini asked if anyone had any questions. There were none. Mr. Travalini explained that Ms. Graziano will draft an order of conditions. She explained that they are standard conditions for installing a pool. The applicants agreed to close the hearing tonight.

Mr. Travalini made a motion to close the hearing for (DEP #216-0966) 31 Fairway Lane. Mr. McKay seconded the motion and Mr. Blackwell, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

The Commission hereby finds that the work proposed for the installation of an in ground pool with associated fencing, landscaping, and a pool house was presented at a public hearing where the applicant presented evidence sufficient to demonstrate that the proposed activity if conditioned meets the provisions under 310 CMR 10.02 (2) (b) & (3) and Medway General Bylaw Article XXI Regulations and the performance standards under Section 25 and 26.

Mr. Travalini made a motion to issue an Order of conditions for (DEP #216-0966) 31 Fairway Lane with the conditions listed above. Dave Blackwell seconded the motion and Mr. McKay, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

Public Hearing #2 – 4 Dover Lane (Lot 2) Notice of Intent – proposal to construct a single family home, with associated landscaping, septic system, driveway, utility and grading

- WPA Form 3
- Plan titled, “Proposed Sewage Disposal System 4 Dover Lane (Lot #2) Medway, MA” by GLB Engineering Consultants, Inc. revised October 21, 2020

Per the request of the applicant, Mr. Travalini made a motion to continue 4 Dover Lane, Lot #2 to the November 10m 2020meetign at 7:45 pm. Dave Blackwell seconded the motion and Mr. McKay, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

Per the request of the applicant, Mr. Travalini made a motion to continue the following hearings to the November 26th meeting at 7:45pm.

158 Holliston Street (DEP #216-0959), 165 Main Street (DEP #216-0956), 119A & B Main Street and 1 & 3 Elm Street (DEP #216-0948).

Dave Blackwell seconded the motion and Mr. McKay, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

Public Hearing #3 - (Con’t 6/25/2020, 7/23/2020, 8/13/2020, 8/27/2020, 9/10/2020, 9/24/2020) 158 Holliston Street (DEP #216-0959) Notice of Intent and Land Disturbance Permit - proposal to construct a single family home with associated utilities, driveway, landscaping and stormwater management

- WPA Form 3
- Plans titled, “158 Holliston Street Notice of Intent Plan of Land in Medway, MA” by Glossa Engineering, dated May 26, 2020
- Land Disturbance Permit Public Hearing #4– (Con’t 6/25/2020, 8/13/2020, 8/27/2020, 9/10/2020, 9/24/2020) 160 Holliston Street (DEP #216-0958) and Land Disturbance Permit - proposal to construct a single family home with associated utilities, driveway, landscaping and stormwater management • WPA Form 3
- Plans titled, “160 Holliston Street Notice of Intent Plan of Land in Medway, MA” by Glossa Engineering, dated May 26, 2020
- Land Disturbance Permit

Public Hearing #5 – (con’t 3/12/2020, 4/9/2020, 4/23/2020, 5/14/2020, 6/11/2020, 6/25/2020, 7/23/2020, 8/13/2020, 8/27/2020, 9/10/2020, 9/24/2020) 165 Main Street Notice of Intent (DEP #216-0956) - proposal to construct a 41 space parking lot

- WPA Form 3
- Plans titled, “Site Plan Medway Mill 163-165 Main Street Medway, MA” by Guerriere and Halnon, dated February 14, 2020, revised May 13, 2020
- Land Disturbance Permit Application by Guerriere and Halnon, dated February 14, 2020
- Document titled, “Stormwater Report for Medway Mill Parking Expansion 163-165 Main Street Medway, MA” by Guerriere and Halnon, dated February 14, 2020, revised May 22, 2020 • Comment letter titled, “Comments from Tetra Tech:Medway Mill, 163-165 Main Street Medway, MA” by Guerriere and Halnon.

Public Hearing #6 (con’t 2/13/2020, 3/26/2020, 5/14/2020, 6/11/2020, 6/25/2020, 7/23/2020, 8/13/2020, 8/27/2020) 119A & B Main Street and 1 & 3 Elm Street (DEP #216-0948) Notice of Intent and a Land Disturbance Permit - proposal for construction of a single family home, two multifamily units, utilities, driveway, stormwater management systems

- WPA Form 3
- 21 Day Waiver, signed Thomas Steeves, dated 12/12/19
- Notice of Intent Filing by Goddard Consulting, date December 12, 2019
- Waiver Request under Medway General Bylaw Article XXI, Section 21.2.b by Goddard Consulting, dated 12/12/19
 - Plans titled, “The Corner of Elm and Main Plan of Lane Medway, MA” by Legacy Engineering, dated December 10, 2019, revised June 22, 2020
 - Stormwater Report titled, “The Corner of Elm and Main Street for Medway, MA” by Legacy Engineering, dated December 10, 2019, revised June 22, 2020 • Supplemental documents titled, “Notice of Intent Supplemental Information” by Goddard Consulting, dated July 15, 2020
 - Review letter titled, “The Corner of Elm and Main STormawter and Land Disturbance Review” by Tetra Tech Dated June 25, 2020

Approval of Meeting Minutes- 6/11/2020, 7/23/2020, 8/13/2020, 8/27/2020, 09/10/20, 09/24/20, 10/08/20, 10/22/20

8/27/20 Meeting Minutes

Mr. Travalini made a motion to approve the 8/27/20 meeting minutes as submitted. Dave Blackwell seconded the motion and Mr. McKay, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

6/11/20 Meeting Minutes and 9/10/20 Meeting Minutes.

Mr. Travalini made a motion to approve the 6/11/20 meeting and the 9/10/20 meeting minutes as submitted. Dave Blackwell seconded the motion and Mr. McKay, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

8/13/20 Meeting Minutes

Mr. Travalini made a motion to approve the 8/13/20 meeting minutes as amended. Amend sonar tubes to sonatubes on page 2. Dave Blackwell seconded the motion and Mr. McKay, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

9/24/20 Meeting Minutes

Mr. Travalini made a motion to approve the 9/24/20 meeting minutes as amended. Amend the sentence on page 2 – remove the phrase it could be a fungus. Dave Blackwell seconded the motion and Mr. McKay, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

7/23/20 Meeting Minutes

Mr. Travalini made a motion to approve the 7/23/20 meeting minutes as amended. Amend it so say Mr. Travalini would consider voting for it and remove Mr. Travalini would grant. Dave Blackwell seconded the motion and Mr. McKay, Ms. Gill and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

Agent Report

Chair Report

Mr. Travalini stated he and Bridget recently met with the head of the Planning and Zoning Boards, Barbara St. Andre, Suzy Affleck-Childs and Stephanie Carlisle. They would be in favor of looking at a tree by law. Mr. Travalini would like to put this on the agenda so they can work on a passing a by- law. He stated there was not much interest in solar panels. The developers would not want to pay the extra cost for solar panels.

Adjourn

Ms. Gill made a motion to adjourn the meeting 9:10pm. Mr. Travalini, Mr. Blackwell, Mr. McKay and Mr. Salvucci all stated aye they were in favor and it was voted to approve 5-0-0.

Respectfully submitted by,
Tracy Rozak

Documents Presented at the November 11, 2020 meeting

All documents shall be kept in the Conservation Commission Office files

Request for Certificate of Compliance Request for Determination of Applicability

Juniper Road (RDA-20-29) – proposal to remove 5-6 trees

3 Bedelia Lane (RDA- 20-32) - Proposal to install deck and fencing

13A Fisher Street (RDA-20-33) – Proposal to install a pool house/cabana

Discussion 1 – Enforcement Order issued for 26 Evergreen Street – gaming court in the wetland vote to ratify the issued Enforcement Order issued on October 15, 2020 7:45PM

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- WPA Form 3
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