

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



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TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

CONSERVATION COMMISSION

Meeting Minutes
Thursday, January 12, 2023 – Virtual Meeting
Times are estimates only. Items may be taken out of order
7:30 p.m.
Call to order

Commissioners Present: David Travalini, Dayna Gill, Ken McKay, Sean Green, David Blackwell, Mike Narducci

Conservation Agent Present: Bridget Graziano

Community Members Present: Abenildo Neves, Amanda Cavaliere, Art Hultin, Carol Collard, Chong Lin, Denise Legee, Dave Dubin, Greg Rucki, Jessica Mofit, Jim Wickis, Joseph Connolly, Laura Connolly, Maria Varrichione, Melany Ferrimy, Michael Hassett, Mike Sullivan, Maria. Neves, Abenildo Neves, Nancy Dubin, Ray B, Russell Waldron, Vera Linardi

Call to Order: At 7:34PM, Mr. Travalini called the meeting to order. He confirmed the virtual presence of the following individuals. Blackwell: here, Gill: here, McKay: here, Narducci: here and Travalini: here.

Announcement – This meeting is being broadcast and recorded by Medway Cable Access

Pursuant to the provisions of Chapter 107 of the Acts of 2022, an act which extends certain COVID-19 measures adopted during the State of Emergency, and under which public bodies retain the option of holding open meetings and hearings remotely until March 31, 2023, 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. Information for participating via Zoom is posted at the end of this Agenda. ***Access via Zoom is provided for public participation for those portions of the meeting open to the public.***

7:35 PM Review Agenda

· There were no topics that were not already anticipated by the Chair.

Request for Determination of Applicability

• **13 Deerfield Road (22-10) - proposal to remove 8 trees of which some have Emerald Ash Borer and are dead or dying**

Bridget Graziano, Mike Sullivan, Jessica Moffit were present to discuss this matter. Ms. Graziano shared the tree removal proposal on screen. Mr. Sullivan discussed concerns for tree maintenance at the perimeter of the yard. Mr. Sullivan stated he learned of an Emerald Ash Borer invasive species infestation wherein eight trees have been marked for removal due to significant damage.

Mr. Sullivan shared concerns of trees falling on the home and his intent to preserve the safety of the property. Mr. Sullivan stated if they made it through the process, Mass Tree would be hired to plant replacement trees and Mr. Sullivan shared the work quote on screen. Mr. Narducci recommended the homeowner remove all trees with Borer beetles because they move from tree to tree. Ms. Graziano stated she had done a site walk and checked the trees for beetles. Ms. Graziano recommended 10 native trees be planted at any location in the buffer zone and will send a list of suggested species with the permit. Mr. Sullivan and Ms. Moffit stated they were aware of the recommendation. Ms. Graziano recommended all tree limbs and chips be removed from the property. Ms. Graziano stated trees will be planted no later than April 2023 and will require a further site visit.

VOTE: Mr. Travlini offered a motion to issue a positive 5 negative 3 determination of applicability for 13 Deerfield Road (22-10) with the conditions Ms. Graziano outlined. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, McKay: aye, Narducci: aye and Travlini: aye. VOTE 5-0.

Discussions

Discussion #1 – Review of outstanding Enforcement Orders issued in 2022

• 7 Ledgewood Street

Chong Lin was present to address this matter. Ms. Graziano stated she would like to schedule a site visit and hear next steps. Mr. Chong and Ms. Graziano scheduled a site walk and meeting with the commission on January 17 at 9am at 7 Ledgewood Street.

• 0 R Waterview Drive

Nancy Dubin and Dave Dubin were present to address this matter and update the commission on plantings. Ms. Graziano discussed an overview of the homeowner filling in a wetland without permission and stated she would like to schedule a site visit. Ms. Dubin discussed there was a serious drought last year that prevented being able to plant 465 plantings. Ms. Dubin stated there has been vegetation growth and she has been working with NRCS to create a farm fence program to keep people out of the buffer zone area. Mr. Travlini recommended Ms. Dubin to update Ms. Graziano regularly by email starting in April under the enforcement order. Ms. Graziano stated the commission needs the plan for the wetlands, buffer and restoration area to show where any fencing would potentially be installed.

• 94 Milford Street

Vera Linardi was present to discuss this matter. Ms. Linardi discussed that she would like to plant in the Spring. Ms. Graziano discussed an order to restore the wetland plants with a seed mix. Ms. Graziano stated she would reissue the enforcement order from August with updated conditions.

• 305 Village Street

Melany Ferrimy was present to discuss this matter. Ms. Graziano stated she would like to set dates to pick out plantings from the recommended list. Ms. Graziano stated she would send Ms. Melany a list of land surveyors for the enforcement order to give an idea of where to work and where to request a permit order on the property. Ms. Graziano stated she would amend the existing order to update a new timeline and require plantings by the Spring. Ms. Graziano requested Ms. Melany to review the list of recommended plantings and send her selection.

• 1 Gray Squirrel Circle

Russell Waldron, Abenildo Neves and “Ms. Neves” were present to discuss this matter. Ms. Graziano shared the property engineering plans on screen and requested if the commission would like an update. Ms. Graziano shared that she scheduled a site visit to see if there was still an extension onto the property from the backyard to Army Corp’s land. Mr. Waldron brought up concerns for the patio plan on the rear property line. Ms. Graziano stated she would like to meet in the field to measure the wetland line to the retaining wall. Mr. Travalini stated the portion of the patio that’s too large should be removed. Ms. Graziano noted the property owners need to apply for a permit for the shed. Mr. Travalini stated the 25 foot lot line must be restored as in the plan from 2018, and any further work to expand it would require a permit. Mr. Travalini advised that removing the patio would be covered under the enforced conditions. Ms. Neves requested information about permits for fire pits. Mr. Narducci recommended to establish the lot line and have the 25 foot lot line staked out before any further work. Mr. Neves and Ms. Neves agreed with the recommendations.

Discussion #2 – Vote to expend \$400 from the Conservation Trust Fund for the ArcGIS subscription as permitted under MGL Ch.40 s.8 C

VOTE: Ms. Gill offered a motion to spend \$400 from the Conservation Trust Fund for the ArcGIS subscription. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, McKay: aye, Narducci: aye and Travalini: aye. VOTE 5-0.

Discussion #3 – Review draft of the document titled, “Town of Medway Guidelines for Open Space Habitat Restoration and Maintenance Work” for Conservation Lands and other Town owned lands

Joseph Connolly was present to discuss this matter. Ms. Graziano shared that she went through the plan and made a few changes to the document. Ms. Graziano reviewed the additions and removals. Mr. Connolly recommended language clarity about cutting or throwing debris in the wetlands, the width of the trails within buffer zones and regarding no herbicide within the wetlands. Ms. Graziano stated that trail maintenance and land management plans will be made into a document.

Discussion #4 – Review and vote on proposed Amendment to the Order of Conditions DEP #216-1015 86 Holliston Street under Section 16 of the Medway Wetland Bylaw Regulations

Amanda Cavaliere and Michael Hassett were present to discuss this matter. Ms. Cavaliere shared the engineering plans on screen for the project. Ms. Cavaliere stated during research putting together an ANR plan through the survey the applicant found an easement they were unaware of. Ms. Cavaliere stated the proposed building is about 2.6 feet overlapped into the easement so they are proposing to shift the structure outside of the access easement by 2.8 ft during the site development. Ms. Cavaliere stated there are no proposed changes within the 50 to 100 ft buffer zone and that they are aware any changes to the plan will need to come before the commission. Ms. Graziano stated the commission will have to vote whether they consider this a minor, moderate or major amendment. Ms. Graiano shared she wanted the erosion control line on this plan labeled to show it’s the same line as originally proposed so the commission can adapt the plan as a minor amendment. Mr. Travalini discussed if the commission accepted the proposed plan as it, the original plan set would be missing erosion control lines. Ms. Gill requested clarification if the commission needs additional documentation to be approved as a minor amendment. Ms. Graziano stated a plan must be made for the change as part of the building application even if the change is minor and that any deviations from the original plan should be shown for the

Conservation Commission. Ms. Cavaliere stated their surveyor stumbled upon an access easement buried in the lease agreement and that it was not recorded in the typical registry of deeds. Mr. Travalini requested a new plan for the commission to vote on at the January 26 meeting at 7:30pm.

Discussion #5 – 274 Village Street (DEP #216-0940) Review of violations with the Order of Conditions and work beyond the approved limit of work

Greg Rucki was present to address this matter. Mr. Rucki asked what to do about a letter to trim trees for development. Mr. Travalini stated there must be notification prior to any tree trimming. Ms. Graziano stated Mr. Rucki should call the tree removal company to find out where the trees would be trimmed and why. Ms. Graziano stated she requested the client to re-stake the erosion control line and shared the engineering plan on screen. Ms. Graziano pointed out the area and requested the commission to discuss whether there should be plantings when Japanese Knotweed are present. Ms. Graziano suggested Staghorn Sumac to prevent overgrowth from the Japanese Knotwood and a few native trees. Ms. Graziano stated she would draft up an order to plant four Staghorn Sumac and two Red Maples.

Discussion #6 – 79 Winthrop Street (DEP #216-0998) Review tree approve for removal and all others removed without permission

Maria Varrichione was present to address this matter. Ms. Graziano shared that the commission completed an inspection of Winthrop Street and were working to approve tree removal. Ms. Graziano stated there were a number of trees that were removed without permission and the commission will need to issue an enforcement order. Ms. Varrichione discussed that the tree removal team were meant to trim trees hanging over the roof of the house according to prior commission approval. Ms. Graziano noted she will send a list of recommended trees that she will have to approve the location of for tree plantings and will put together an enforcement order. Ms. Graziano recommended utilizing arborists to review the health of trees instead of tree removal companies. Ms. Varrichione shared the final inspection would be completed on the morning of January 27.

Discussion #7 – Vote to draft a letter support the Medway Community Farm for submitting grants for wetlands and plot plan work to design farm

Carol Collard was present to address this matter. Ms. Collard stated she contacted the Norfolk County of engineering to get a survey done on the property to define where the buffer zone, vernal pool and riverfront are. Ms. Collard noted the farm needs a wetland examination and title surveyor done, with a grant due requiring a letter of support from the project's advisor. Ms. Graziano shared that the letter is already drafted and she had reviewed the grant.

VOTE: Mr. Travaline offered a motion for the conservation agent to draft a letter of support for the Medway Community Farm for submitting grants for the American Farmland trust. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, McKay: aye, Narducci: aye and Travalini: aye. VOTE 5-0.

Discussion #8 – Review of proposed Tree Preservation Bylaw update

Ms. Gill stated she would like to have a call to talk through the process of updating the bylaw with Ms. Graziano and Mr. Travalini.

7:45PM Public Hearings

Public Hearing #1- (con't 10/27/22, 11/10/22, 12/8/22) 9 Holbrook Street (DEP 216-10xx) Notice of Intent proposal to remove 15 trees from the lot

- WPA Form 3
- Plans titled, "Tree Removal Plan 9 Holbrook Street" by GLM Engineering Consultants, dated August 5, 2022
- Letter from Ethical Tree Services, dated

VOTE: Mr. Travalini offered a motion to continue this matter per the applicant's request to the January 26 meeting at 7:45PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, McKay: aye, Narducci: aye and Travalini: aye. VOTE 5-0.

Meeting Minutes

Approval of Minutes 7/14/22, 8/11/22, 8/25/22, 9/22/22, 10/13/22, 12/8/22

This item was not addressed at this meeting.

Agent Report

This item was not addressed at this meeting.

Chair Report

This item was not addressed at this meeting.

Motion to Adjourn: At 10:31 PM Mr. Narducci motioned to adjourn. Ms. Gill seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, McKay: aye, Narducci: aye and Travalini: aye. VOTE 5-0.

Next Scheduled Public Meeting: January 26, 2023 at 7:30PM *Virtually

Documents Presented at the January 12, 2023 meeting

All documents shall be kept in the Conservation Commission Office files

Request for Determination of Applicability

• **13 Deerfield Road (22-10) - proposal to remove 8 trees of which some have Emerald Ash Borer and are dead or dying**

- WPA Form 1
- Plan titled, “Proposed Sewage Disposal System”, by Connorstone Inc, dated 2/21/78 (with hand drawing locations of trees)
- Estimate for Mass Tree LLC dated 12/16/22

Public Hearings

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Discussions

Discussion #3 – Review draft of the document titled, “Town of Medway Guidelines for Open Space Habitat Restoration and Maintenance Work” for Conservation Lands and other Town owned lands

- Draft of Town of Medway Guidelines for Open Space Habitat Restoration and Maintenance

Discussion #4 – Review and vote on proposed Amendment to the Order of Conditions DEP #216-1015 86 Holliston Street under Section 16 of the Medway Wetland Bylaw Regulations

- Plans titled, “Proposed Field change 68A Main Street Medway, MA” by Guerriere and Halnon, dated December 20, 2022
- Letter from Guerriere and Halnon, dated December 22, 2022

Discussion #7 – Vote to draft a letter support the Medway Community Farm for submitting grants for wetlands and plot plan work to design farm

- Letter titled, “American Farm Land Trust” dated January 12, 2023