

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



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TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

CONSERVATION COMMISSION

Meeting Minutes
Thursday, January 27, 2022 – Virtual Meeting
Times are estimates only. Items may be taken out of order
7:30 p.m.

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

Pursuant to the Massachusetts Legislature's June 16, 2021 enactment of Chapter 20 of the Acts of 2021, an act extending certain Covid-19 measures adopted during the State of Emergency, under which public bodies retain the option of holding open meetings and hearings remotely until April 1, 2022, and in accordance with the Medway Select Board's remote participation policy as amended at their July 2, 2021 meeting, Conservation Commission members will be participating remotely. Access via Zoom is provided for public participation for those portions of the meeting open to the public. Information for participating via Zoom is posted at the end of this Agenda.

Committee Members Present: David Travalini, Tara Kripowicz, Dayna Gill, Mike Narducci, and Ken McKay

Committee Members Absent: David Blackwell

Community Members Present: Bridget Graziano, Mouni Tayara, Nick Howard, Ray Bigelow, Corie Whalen, Omar Chatila, Luke Olsen, Tim McGuire, and Dan Merrikin

Call to Order: At 7:32PM, Mr. Travalini called the meeting to order. He confirmed the virtual presence of the following commissioners: Gill: present, Kripowicz: present, McKay: present, Narducci: present, and Travalini: present.

Review of Agenda:

Mr. Travalini introduced the presence of Mr. Luke Olsen. Mr. Olsen shared that he is a lifelong Medway resident with an environmental background; he was present at the meeting in order to learn more about the Conservation Commission and to gain experience in the environmental field.

Request for Certificate of Compliance

- **2 Timber Crest Drive DEP #216-0973- proposed construction of single family home, associated driveway, Utilities, and landscaping**
 - Mr. Mounir Tayara was here to address this matter, along with Mr. Omar Chatila. He requested a partial certificate because there is not full growth on the lawn. He shared a visual of the property, including the house box, the erosion control line, and stormwater management system.
 - Ms. Graziano recommended a partial certificate of compliance, where the following conditions have been satisfied and shall be removed under the partial certificate of

compliance 9, 10, and 11 (to remain in perpetuity), 12, 15, 16, 23-28, and 41.

VOTE: Mr. Travalini offered a motion to approve a partial certificate of compliance on this property with only the following conditions to be removed, which are in compliance 9, 10, and 11 (to remain in perpetuity), 12, 15, 16, 23-28, and 41. Ms. Gill seconded the motion, which passed unanimously: Gill: aye, Kripowicz: aye, McKay: aye, Narducci: aye, Travalini: aye. VOTE: 5-0.

Request for Determination of Applicability

- 31 Millstone Drive (RDA-21-24) - proposal to remove 3 trees from the 0-25' No Disturb Zone
 - Ms. Graziano shared that this party wished to rescind without prejudice.

VOTE: Mr. Travalini motioned per the request of the applicant to rescind without prejudice. Ms. Gill seconded the motion, which passed unanimously: Gill: aye, Kripowicz: aye, McKay: aye, Narducci: aye, Travalini: aye. VOTE: 5-0.

Discussions

- **Discussion 1** – 2 Little Tree Road Enforcement Order review amend the Enforcement Order
 - Mr. Dan Merrikin was present to address this matter on behalf of the owners. He shared a visual of the property. They did a survey and located the existing features and superimposed the prior approval from the year 2000. According to the original approval, he noted the original wetland line, as well as the potential for a wall to be constructed. Based on the aerial view, there is a boulder wall, which is evident as far back as 2009. Also evident from the aerial photos and information is a 25 foot buffer that has been disturbed, along with the wetlands, likely dating back as far as the construction of the house. He shared a visual of a 25 foot buffer from the house listing photographs; there are rocks and stumps, so it is overall not an ideal buffer area. He proposed a restoration of the buffer area that involves the owners retaining a small amount of the area for some usable side yard. He felt this was a preferable option to returning to its previous conditions. He proposed taking the existing boulder wall and pulling it back, then putting a fence on top of it. It would create 15 feet of grass next to their home. It would involve removing all the rocks, pulling out the wall, removing any filth, cutting it back, sloping it down toward the wetlands, then loaming and reseedling. It would leave a 3-3.5 foot boulder wall.
 - Ms. Graziano shared that she is supportive of this plan if they can acquire a robust planting plan behind the wall. She felt it would be more beneficial based on wildlife prosperity, as well as climate change, especially since this does not require tree removal.
 - Mr. McKay suggested expanding the wetlands area as part of the renovation. Mr. Travalini stated that this area is primarily rock, so the best bet for regrowth is loam.
 - Mr. Narducci asked about the existing red lines of the fence and the wall; Mr. Merrikin clarified that the area in question is low and wooded. The challenge is to fence it appropriately based on the positioning.
 - Mr. Travalini raised concerns about not only replanting shrubs, but also planting native trees behind the wall. He also wanted to ensure that the side yard would remain grass, as opposed to installing a pool or patio. Because of this, he and Ms. Graziano felt a Notice of Intent would be necessary for Mr. Merrikin to file. He also suggested putting a sign on the wetlands to ensure protection.
 - Ms. Graziano asked if the commission wants to amend the enforcement order to accommodate the necessary Notice of Intent document.

- Mr. Merrikin agreed to have the Notice of Intent filed by February 11, 2022.
- **Discussion 2** – 34 West Street (RDA-20-xx) Review of conditions and plans, proposed amendment
 -
- **Discussion 3** - Amended Enforcement Orders – ratify is required by Agent
 - **2 Little Tree Road** -
 - Mr. Merrikin was present and representing the owners of 2 Little Tree Road for the work to correct the violation per the Enforcement Order.
 - Ms. Gill suggested not sending amendments on this plan; rather, she felt that the individuals in question should take action themselves. Mr. Narducci agreed with this approach.
 - **7 Ledgewood Road** -
 - Ms. Graziano shared that the property owners have removed the fill out of the wetlands and are restoring the lawn area at this property. She shared that they must issue an enforcement order until they concede everything.
 - **39 West Street** -
 - Ms. Graziano shared that the property owners must cease and desist from any further work. They must submit a restoration plan by April 15, 2022, attend the Conservation Commission meeting on April 21, and have everything done by May 15, 2022. If the property owner does not meet these deadlines, then they must simply finish the restoration by April 21, 2022.

VOTE: Mr. Travalini moved to issue an enforcement order at this property based on conversations with Steve Brody at the January 12, 2022 meeting with the aforementioned deadlines. Ms. Gill seconded the motion, which passed unanimously: Gill: aye, Kripowicz: aye, McKay: aye, Narducci: aye, Travalini: aye. VOTE: 5-0.

- **26 Evergreen Street** -
 - Mr. McGuire was present to address this matter.
 - Ms. Graziano shared that she approved the erosion control at this property. However, due to the freezing conditions, they have been unable to start. She hoped to have the work started by March 1, 2022 and done by March 31, 2022.

7:45PM Public Hearings

Public Hearing #1 – 11 Main Street (DEP #216-0991) Notice of Intent – proposal to restore an existing single family home with driveway, utilities, landscaping

- WPA Form 3 Notice of Intent – Notice of Intent Application and Wetland Resource Area Analysis, by LEC Environmental, dated October 28, 2021
- Plans titled, “Proposed Site Plan #11 Main Street” by Cheney Engineering Co., Inc, dated August 27, 2021
- Plans titled, “Existing Site Conditions Plan #11 Main Street Medway, MA” by Cheney Engineering Co., Inc dated August 5, 2021

- Mr. Nick Howard was present to address this matter. He reviewed Ms. Graziano's order of conditions and had no further questions or concerns.

VOTE: Mr. Travalni motioned to close this public hearing. Ms. Gill seconded the motion, which passed unanimously: Gill: aye, Kripowicz: aye, McKay: aye, Narducci: aye, Travalini: aye. VOTE: 5-0.

VOTE: Mr. Travalini motioned that the Commission hereby finds that the work proposed for the construction of an addition to the existing single family dwelling with associated reconstruction of the existing driveway, landscaping, yard, and tree restoration 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), 310 CMR 10.53(1), 310 CMR 10.57(4)(a), 310 CMR 10.58(4)(d) and the Medway General Bylaw Section 25, 26, and 28. Additionally, the Commission grants a waiver under Section 29 of the Medway General Bylaw Article XXI Regulations, only for work to reconstruct the existing driveway.

Ms. Gill seconded the motion, which passed unanimously: Gill: aye, Kripowicz: aye, McKay: aye, Narducci: aye, Travalini: aye. VOTE: 5-0.

Public Hearing #2 – (con't 5/27/21, 6/10/21, 6/24/21, 7/12/21, 7/29/21, 9/9/2021, 10/12/2021, 9/23/2021 10/12/2021, 10/28/2021)) 6 Industrial Park Road (DEP#216-0986) Notice of Intent and Land Disturbance Permit proposal to install a stormwater management system for a proposed addition (approx. 33, 000 sqft) to the existing commercial building

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue this at the February 10, 2022 meeting at 7:45PM. Ms. Gill seconded the motion, which passed unanimously: Gill: aye, Kripowicz: aye, McKay: aye, Narducci: aye, Travalini: aye. VOTE: 5-0.

Meeting Minutes

Approval of Minutes 8/12/21, 9/9/2021, 9/23/2021, 11/9/2021, 11/18/2021, and 12/9/2021

VOTE: Ms. Gill offered a motion to approve the meeting minutes for 8/12/21, 9/23/21, 8/12/21, and 11/9/21. Ms. Kripowicz seconded the motion, which passed unanimously: Gill: aye, Kripowicz: aye, McKay: aye, Narducci: aye, Travalini: aye. VOTE: 5-0.

Agent Report

Ms. Graziano had nothing further to report at this time.

Chair Report

Mr. Travalini raised concerns about gathering further information about the tree protection bylaw in anticipation of the fall meeting.

Mr. Travalini also shared that he attended the meeting regarding the new water filtration system. He pushed them to consider using the fields in front of the treatment plant for a solar canopy system. They were somewhat resistant due to their hard deadlines.

Motion to Adjourn: Mr. Narducci motioned to adjourn at 8:49PM. Ms. Gill seconded the motion, which passed unanimously: Gill: aye, Kripowicz: aye, McKay: aye, Narducci: aye, Travalini: aye. VOTE: 5-0.

Next Scheduled Public Meeting: December 9, 2021 at 7:30PM* Sanford Hall, Town Hall 155 Village Street, Medway, MA
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