

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, February 23, 2023 – Virtual Meeting
Times are estimates only. Items may be taken out of order
7:30 p.m.

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

Commissioners Absent: Sean Green

Conservation Agent Present: Bridget Graziano

Community Members Present: Mark Arnold, Cameron Bagherpour, Amanda Cavaliere, James Dacier, Mounir Tayara, Tina Wright

Call to Order: At 7:32PM, Mr. Travalini called the meeting to order. He confirmed the virtual presence of the following individuals. Blackwell: here, Gill: 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.

7:35 PM Review Agenda

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

Request for Certificate of Compliance

4 Marc Road (DEP #216-0943) and Land Disturbance Permit (LD-21-05) – proposal to upgrade the existing stormwater management system, removal of sediment from intermittent stream

No one was present to address this matter.

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue the Request for Certificate of Compliance for (DEP #216-0943) and Land Disturbance Permit (LD-21-05) at 4 Marc Road to the March 9 meeting at 7:30PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, Narducci: aye and Travalini: aye. VOTE 4-0.

Ken McKay joined the meeting virtually at 7:42 PM.

7 Iarussi Way (DEP#216-0945) – proposal to install a in ground pool, patio, outdoor pavilion, in ground trampoline

No one was present to address this matter. Ms. Graziano stated everything is in compliance and recommended to issue a Certificate with conditions in perpetuity.

VOTE: Mr. Travalini offered a motion per the recommendation of the Conservation Agent that the Commission issue a Certificate of Compliance with the following conditions 8, 9 and 10 to remain in perpetuity. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, Narducci: aye, Travalini: aye and McKay: aye. VOTE 5-0.

35 Milford Street (LD-21-04) – proposal to construct one 2 family dwelling and one 1 family dwelling with associated stormwater management system

Cameron Bagherpour was present to discuss this matter. Ms. Graziano stated the applicant had installed the required plantings as transplants two days prior to the February 23 meeting. Mr. Travalini noted the conditions were issued in November 2021. Mr. Travalini stated he was not in favor of giving a Certificate of Compliance due to poor timing of planting as the ideal time to plant would have been six months ago. Mr. Travalini recommended to wait until April or May to see if the plants survive.

Mr. Bagherpour stated he can modify the HOA with language specifying the six plants will need to be replaced if they're found to not survive the winter to spring. Ms. Graziano stated she would need a document signed in the agreement that the HOA is aware of the specifications. Mr. Bagherpour clarified he can get the document to Ms. Graziano after running it by the attorney to modify the plan and have signatures of the buyers prior to March 9, 2023. Mr. Narducci suggested entering an agreement with a Building Department down in writing. Mr. Bagherpour clarified the new owners will sign off for maintenance on the HOA in the sale closing. Ms. Graziano stated she will go to the Building Department to have Mr. Bagherpour sign off on a plan to follow the requirements. Mr. Bagherpour will need to include all stormwater management systems and the maintenance requirements including replacing the dead plants in the rain garden. Mr. Bagherpour stated he will call Ms. Graziano to finalize.

VOTE: Mr. Travalini offered a motion to continue the request for 35 Milford Street (LD-21-04) to the March 9 meeting. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, Narducci: aye, Travalini: aye and McKay: aye. VOTE 5-0.

49 Alder Street (DEP #216-0837) – proposal to construct an addition to a commercial building an request for waiver of fee due to payment of application for second time

Amanda Cavaliere was present to discuss this after. Ms. Graziano discussed this was an old order of conditions that had been extended for covid provisions regarding a rubber roof rather than the original metal. Ms. Graziano noted the roof is done, they sent the reports on the septic cleaning and storm management system. Ms. Graziano recommended issuing a Certificate of Compliance with 10 and 12 remaining in perpetuity. Mr. Travalini discussed Ms. Graziano and the Commission had spent considerable time in site walks and overseeing the proposal. Ms. Graziano noted the fee is \$400. Ms. Cavaliere stated she understands there were multiple trips within a long process and she did submit the fee with the application.

VOTE: Mr. Travalini offered a motion to deny the request for the waiver of the payment for the fee for DEP #216-0837 49 Alder Street. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, Narducci: aye, Travalini: aye and McKay: aye. VOTE 5-0.

VOTE: Mr. Travalini offered a motion per the suggestion of the Conservation Agent to issue a Certificate of Compliance for DEP #216-0837 49 Alder Street with the conditions 10 and 12 to remain in perpetuity. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, Narducci: aye, Travalini: aye and McKay: aye. VOTE 5-0.

Request for Extension to the Order of Conditions

Timber Crest Estates DEP #216-0914 – construction of roadways, infrastructures and stormwater management system

Mr. Arnold and Mr. Tayara were present to discuss this matter. Mr. Tayara stated he is requesting an extension of both orders for three years due to ongoing construction. Mr. Arnold stated he was present to answer any questions and noted Mr. Tayara was a good project manager keeping up with erosion controls and would make a great candidate for an extension. Ms. Graziano recommended DEP #216-0914 for an extension until June 10, 2026.

VOTE: Mr. Travalini offered a motion to issue an extension for the Order of Conditions of DEP #216-0914 Timber Crest Estates until June 10, 2026. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, Narducci: aye, Travalini: aye and McKay: aye. VOTE 5-0.

Timber Crest Estates DEP #216-0919 – construction of access road (work not commenced)

VOTE: Mr. Travalini offered a motion to issue an extension for the Order of Conditions of DEP #216-0919 Timber Crest Estates to March 28, 2026. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, Narducci: aye, Travalini: aye and McKay: aye. VOTE 5-0.

Discussions

Discussion #1 – Interview candidates for the open seat on the Medway Conservation Commission

James Dacier was present to discuss this matter. Mr. Dacier discussed reasons for interest in the Commission including being a Medway resident with a young family, utilizing open spaces throughout covid and looking to give back. The Commission discussed responsibilities such as enforcing the Wetlands Protection Act State Law, River Protection Act and Town Bylaws written by the Commission. Mr. Travalini discussed plots of land owned by the town, constructing trails, site walks and operating in conjunction with the planning board for project timing. Ms. Gill noted there are training opportunities such as the once a year MACC conference as an environmental resource. The Commission discussed being able to adjudicate state laws, attending meetings for grants and developing action plans to present at the National Planning Conference in Philadelphia.

VOTE: Mr. Travalini offered a motion to recommend to the Selectboard that they appoint James Dacier to the Conservation Commission. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, Narducci: aye, Travalini: aye and McKay: aye. VOTE 5-0.

Discussion #2 - vote on draft of the document titled, “Town of Medway Guidelines for Open Space Habitat Restoration and Maintenance Work” under the Care and Custody under the Town of Medway

Ms. Graziano stated she made the last changes and recommended to vote to adopt the guidelines and it can be changed at any time.

VOTE: Mr. Travalini offered a motion to adopt the document titled “Town of Medway Guidelines for Open Space Habitat Restoration and Maintenance Work” for Conservation lands. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, Narducci: aye, Travalini: aye and McKay: aye. VOTE 5-0.

7:45PM Public Hearings

Public Hearing #1 – 0 Adams Street Map 29 Lot 020 – Notice of Intent (DEP #216-1021) - proposal to construct an ADA compliant trail system at the Adams Street Meadow Area

VOTE: Mr. Travalini offered a motion to close the Public Hearing for Notice of Intent DEP #216-1021 0 Adams Street, proposal to construct an ADA compliant system. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, Narducci: aye, Travalini: aye and McKay: aye. VOTE 5-0.

VOTE: Mr. Travalini offered a motion to issue an Order of Conditions for DEP #216-1021 with the following findings as outlined by the Conservation Agent. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, Narducci: aye, Travalini: aye and McKay: aye. VOTE 5-0.

Meeting Minutes

Approval of Minutes 8/25/22, 10/13/22, 1/12/23, 2/6/23, 2/9/23

This item was not addressed at this meeting.

Agent Report

- Discuss attendance at meetings with Planning and Selectboard to propose the Tree Preservation Bylaw for Spring Town Meeting
- Ms. Graziano stated the Commission needs to attend the March 6, 2023 meeting for the Selectboard. Mr. Travalini noted he will attend the Planning Board meeting with Ms. Gill on February 28, 2023. Ms. Graziano stated after that the Finance Committee will invite the Commission to a specific meeting.

Chair Report

This item was not addressed at this meeting.

Motion to Adjourn: At 9:11 PM Mr. Narducci motioned to adjourn. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Gill: aye, Narducci: aye, Travalini: aye and McKay: aye. VOTE 5-0.

Documents Presented at the February 23, 2023 meeting

All documents shall be kept in the Conservation Commission Office files

Request for Certificate of Compliance

4 Marc Road (DEP #216-0943) and Land Disturbance Permit (LD-21-05) – proposal to upgrade the existing stormwater management system, removal of sediment from intermittent stream

- WPA Form 8A
- As Built Plan titled, “As-Built Plan:4 Marc Road Medway, MA 02053”, by DGT, dated January 18, 2023

7 Iarussi Way (DEP#216-0945) – proposal to install a in ground pool, patio, outdoor pavilion, in ground trampoline

- WPA Form 8 A
- As Built Plan titled, “As Built Proposed Pool 1 Iarussi Way, Medway MA” by GLM Engineering, dated

35 Milford Street (LD-21-04) – proposal to construct one 2 family dwelling and one 1 family dwelling with associated stormwater management system

- AS Built Plan titled, “Conservation AS Built Plan of Land in Medway, MA” by Colonial Engineering, dated December 16, 2022

Public Hearing #2 – 0 Adams Street Map 29 Lot 020 – Notice of Intent (DEP #216-1021) - proposal to construct an ADA compliant trail system at the Adams Street Meadow Area

- WPA Form 3
- Plans titled, “Adams Meadow Accessible Loop Trail” by Beals and Thomas, dated January 12, 2023
- Town of Medway – 2021 Mass Trails Grant Application Project Summary
- 2021 Mass Trail Grant Applications Site Photos – Town of Medway
- 0 Adams Street - FirmETTE