



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

**August 13, 2020 7:30 pm**

<b><u>Members</u></b>	Present	Absent	Arrive Late/ Leave Early	Step Down for Hearing?
David Travalini (Chair)	X			
David Blackwell	X		Arrived at 7:53pm	
Scott Salvucci		X		
Brian Snow		X		
Dayna Gill	X			
Ken McKay	X			
Keith Downing	X			
<b>Agent</b>				
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.

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**Mr. Blackwell is the acting Chair and called the meeting to order at 7:40 pm.**

Mr. Blackwell Travalini asked if anyone had anything to add to the agenda. There were none.

**Request for Determination of Applicability**

**3 Island Road – RDA-20-21** proposal to remove 5 trees within jurisdictional areas

Mr. Jason Bacchiochi was present for the meeting. Ms. Graziano stated she and Mr. Travalini looked at the trees and Dave agreed that he could prune the Maple tree and cut down the small pine tree and the large pine to the right without the arborist drafting a letter. Mr. Travalini didn't see anything wrong with the trees that were in the 25 foot zone. The applicant would have to apply for a waiver and prove that there was as safety reason to take the other trees down. Mr. Bacchiochi decided he would just prune the Maple Tree and cut down the Pine Tree.

Mr. Blackwell asked if anyone had a comment or question. There were none.

***Mr. McKay made a motion to issue a negative three, positive five determination for 3 Island Road RDA-20-21 for the removal of one Pine tree and the pruning of a red Maple tree. Mr. Downing seconded the motion and Dayna Gill, Keith Downing and Dave Blackwell all stated aye they were in favor and it was voted to approve 4-0-0.***

**6 Brookside Road – RDA-20-22** proposal to install a deck (8'x30') within the Riverfront Area/100' buffer zone to BVW Request for Certificate of Compliance 6 Queens Way DEP #216-0448 – Proposed construction of a single family home

Ms. Joanne Miller was present for this meeting. Ms. Miller stated she wants to attach a deck to the back of her house and it will come out 8 feet and go the length of the house which is about 30 feet long. Ms. Graziano stated Brookside Road runs along the Charles River. Ms. Graziano stated she did a site visit and the deck is 55 feet from the BVD. The river is about 170 feet from the house. The work is within the 200 feet of the river front and the deck would go on existing lawn. Ms. Graziano stated she asked the applicant to cleanup some materials that were near the wetlands prior to the commencement of work. There will be 4 or 5 sonar tubes used. Ms. Graziano asked that they store the materials outside of their jurisdiction. Mr. Travalini asked if anyone had any questions. There were none.

***Dave Travalini made a motion to issue a positive five, negative three determination for 6 Brookside Road – RDA-20-22 with the following conditions:***

***Any soils from the footing will be placed away from the river front towards the front of the dwelling, all debris and materials will be removed before commencement of work, the applicant will contact the office to check if materials were removed. Any materials should be taken off site and any disturbed areas should be seeded and stabilized post construction.***

***Dave Blackwell seconded the motion, Dayna Gill, Dave Blackwell and Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.***

**4 Fern Path DEP #216-0825** – proposal to construct a single family home and shed

Tim McGuire, Wetland Scientist from Goddard Consulting was present for the meeting. Ms. Graziano stated the only outstanding issue was that they were supposed to be plantings put in per condition # 36. Mr. McGuire stated the applicant did not plant any Witch Hazel but the area is pretty well vegetated

with native species like Sweet Pepper bush and is back to its preexisting condition and the area around the shed has not been maintained or mulched.

**Mr. Travalini made a motion to issue a Certificate of Compliance for 4 Fern Path DEP #216-0825. Dave Blackwell seconded the motion, Dayna Gill, Dave Blackwell and Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.**

### **6 Queens Way**

Mr. Stephen Kenney was present for the meeting and stated the bounds were put in. Ms. Graziano stated she went out and saw them and they are all set.

**Mr. Travalini made a motion to issue a Certificate of Compliance for 6 Queens Way. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.**

**Discussion 1** – Glenn Brook Way DEP #216-0929 - Review and vote on fill site for Order of Conditions compliance with condition # 47.

Mr. Gary Barfield from JCC was present and stated condition # 47 requires any fill to be analyzed by a LSP and find the soil clean. Mr. Barfield stated the material they are bringing in is recycled concrete not soil. Ms. Graziano stated she did not know about this. Mr. Barfield state Mass DEP allows and encourages using recycled concrete. The material has to be crushed to less than six inches. Mr. Travalini stated if they are using this around the foundation there could be air pockets with soil over it which could leach into the wetlands. Mr. Travalini stated they need to go where this is going to go? If it is just going under the roadbed that is fine because if it collapses that is there problem but if they use this fill around structures and it collapses then this would be a problem. Mr. Barfield asked if this recycled concrete can be put in areas outside of the resource area. Mr. Travalini stated they are not concerned about areas outside of their jurisdiction. Mr. McKay expressed concern about the materials that come of the materials and are they contaminated. Mr. Barfield stated their materials are made from concrete only not asphalt or tar. Mr. Travalini stated they need to know exactly where this fill is going to go inside their jurisdiction. Mr. Barfield will have the appropriate person contact the Conservation Commission in the morning with the information they need. Ms. Graziano would also like to have Tetra Tech confirm that these materials are safe in around foundations.

***Mr. Travalini stated this discussion will be continued.***

**Discussion 2** - Vote to ratify the following Enforcement Orders

- **18 Village Street** – on going violation for non-compliance with Order of Conditions DEP #216-0939h

Ms. Graziano stated she had to issue a new order to the new owners and they are working with them to comply with the Order of Conditions. The following is the wording of the new order:

**As you have been advised by previous Enforcement Orders, First Enforcement Order November 29, 2018, Amended Enforcement Order January 15, 2019, Issued first offense 21 D Ticket February 12, 2019, Issued second offense 21 D Ticket March 7, 2019, Issued 3<sup>rd</sup> offense 21 D Ticket May 22, 2019, Filed Notice of Intent May 31, 2019, Issued 4<sup>th</sup> offense 21 D Ticket February 10, 2020, March 22, 2020, and May 6, 2020, and by communications during site visits with Town Officials prior to the Notice of Intent Process and now after you were granted an Order of Conditions, you have committed violations of the Medway Wetlands Protection Bylaw (the “Bylaw”) and the Massachusetts Wetlands Protection Act (the “WPA”) at your property located at 18 Village Street, Medway, MA (the “Property”).**

**The Conservation Commission finds the following:**

*On a February 10, 2020, February 19, 2020, March 6, 2020, March 20, 2020, May 6, 2020, May 14, 2020 and June 8, 2020, the Conservation Office completed a site visit to review compliance with the issued Order of Conditions DEP #216-0939. At the time of the site visit there were unauthorized alterations of the Bordering Vegetated Wetland and the 0-25’ No disturb zone. The original pipe was not correctly installed as approved on the plan titled, “Plan to Accompany Notice of Intent 18 Village Street, Medway, MA” by O’Driscoll Land Surveying, dated April 12, 2019 (hereafter known as the “approved site plan”) under the Order of Conditions DEP #216-0939 (hereafter referred to as the “Order”). The newly installed sump pump pipe is discharging water that is full of a clay/sediment in the Bordering Vegetated Wetland which was not authorized under the Order for discharge into a wetland resource. The sediment is filling the wetland with a clay substance, which is choking native vegetation and filling the wetlands resource. Additionally, there is a considerable amount of erosion from the pipe within the wetland resource and the 0-25’ No Disturb Zone which means the velocity of the water leaving the sump pump was not properly calculated and was not properly disclosed to the Commission during the public hearing process. Additionally, the applicant never set up a DEP Sign, installed erosion controls, sought approval to begin work, and is currently in non-compliance a number of conditions of the Order. Alterations within the wetlands resource and the 0-25’ of buffer zones to freshwater wetlands are found to be a violation of 310 CMR 10.02 (1) and (2) (b), 310 CMR 10.55(4) Bordering Vegetated Wetlands, and 310 CMR 10.08(1)(a) Enforcement Orders, of the Wetlands Protection Act and the Medway General Bylaw, Article XXI Section 21.2 (a) and (b) and Section 21.6, and associated regulations.*

**The Commission issued an Enforcement Order on February 10, 2020 for the abovementioned violation including non-compliance with the issued Order. Site visits to the property were performed on February 10, 2020 (original violation discovered), February 19, 2020 and March 6, 2020 (compliance check for the Enforcement Order dated February 10, 2020). The site visit revealed that none of the work to prevent the alteration of a wetland resource had been completed and the sump pump continues to discharge unknown clay/sediments into the wetland resource has not been shut off and it continues to fill the wetland. The applicant was not authorized under the Order to fill/alter wetland resources. The following requirements of this Enforcement Order reflect the same requirements of the February 10, 2020 Enforcement Order with new dates/deadlines for compliance.**

**Pursuant to this Enforcement Order sent to you on February 10, 2020 and now March 20, 2020, you are ordered by the Commission to take a number of steps to remediate the violations. To date, you have not complied with the Enforcement Order from the Commission. Specifically, you have failed to cease all unauthorized activities**

***affecting the buffer zone and/or resource area, restore the altered buffer zone and resource area to its original condition, and completed as conditions under the Order per the approved plan. Demand is hereby made that you comply with the Enforcement Order within seven days of the date of this letter. Below are the requirements of the Enforcement Order.***

- ***The property owner/applicant of 18 Village Street, shown on Assessor's Map 57 Lot 007, his/her agents, permittees, and all others shall immediately **cease and desist** from further activity affecting protected resource areas and associated buffer zones.***
- ***The property owner/applicant shall immediately disconnect the sump pump pipe. The applicant shall submit a proposal to the Commission either to complete work approved by the Commission under the Order of Conditions DEP #216-0939, if the applicant wishes to connect the sump pump to the pipe. If the applicant/property owner chooses to complete the work as designed, there cannot be impacts to the wetland resource or the 0-25' No Alteration Zone. If the applicant/property owner can disconnect the sump pump and direct it to a different location where the wetland resource is not impacted, this shall be reviewed under a proposal to amend the Order of Conditions. The property owner/applicant shall notify the Commission in writing of the objective of the proposed work for correction **by July 16, 2020.*****
- ***The property owner shall then attend the Commission meeting scheduled for **July 23, 2020 at 7:30 PM (via Zoom)** for a meeting with the Commission to review this Enforcement Order and the proposed plan for correction of the alteration to jurisdictional areas. Information shall be sent from the Conservation Agent on attendance one week prior to the meeting.***
- ***Property owner/applicant shall install DEP sign Part 1 condition 10 and erosion controls as noted on the approved plan.***
- ***Clay, sediments, and other altering materials not natural to the wetlands resource shall be removed from the Bordering Vegetated Wetlands. This shall be performed based on a site visit with the Agent to determine how to complete this task without harm to the wetlands resource. Agent shall be contacted once this is complete.***
- ***Property owner/applicant is not in compliance with Part I conditions # 1, 10, 17, and 18.***
- ***Property owner/applicant is not in compliance with Part II conditions # 4, 5, 6, 8, 21-28, 29-34, 35, 38 and 39.***
- ***Property owner/applicant shall submit a restoration plan for all areas of the wetland resource and 0-25' No Disturb Zone altered without the permission/authorization of the Conservation Commission by August 6, 2020.***
- ***Property owner/applicant shall contact the Conservation Commission office, specifically, Bridget R. Graziano at 508-533-3292, to set up a time to meet with***

***the Conservation Commission to discuss amending the Order of Conditions in order to provide the appropriate protection to the wetland resource.***

***Mr. Travalini made a motion to ratify the Enforcement Order for 18 Village Street. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.***

- **23 Village Street** – amended Enforcement Order to comply with site visit

Ms. Graziano stated this is an amended Enforcement Order as the owner asked us to amend some of the language as they found it confusing. Ms. Graziano stated they were asked to remove any animals and the fencing and put down a wetland seed mix. They can maintain the existing farm in the buffer zone.

***Mr. Travalini made a motion to ratify the Enforcement Order for 23 Village Street. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.***

**29 R Lovering Street** – Order of Conditions DEP #216 -0877 for dumping of materials within 0-25' buffer zone outside permitted limit of work 158 Holliston Street/160 Holliston Street – working without a valid Order of Conditions. Ms. Graziano stated this is for non compliance- based on field observation by the agent. Materials were placed in the 0- 25 foot that were not authorized. They were asked to attend the July meeting but they did not. They were asked to comply with condition # 35. Ms. Graziano stated they were supposed to reestablish the head wall at 61. They were supposed to add additional rip rap to protect wetland resources and work with the engineer to comply with stormwater stuff. Ms. Graziano read the following statement:

***The Commission Orders Mr. Steve Veneicasa to perform the following:***

- ***The property owner of Lot 129 R Lovering, shown on Assessor's Map 20 Lot 004, his/her agents, permittees, and all others shall immediately **cease and desist** from further activity affecting protected resource areas and associated buffer zones.***
- ***Attend the **July 23, 2020** Conservation Commission public meeting at **7:30pm via Zoom invite**.***
- ***The applicant shall resume submitting the required erosion controls inspection reports as required under Conditions #35. Conditions #35 requires reports also when storms exceed 0.5" inches of rain, these storm event took place on June 28 and June 29, 2020.***
- ***The property owner, Steve Venincasa shall complete all requirement of this Enforcement Order as directed by the Commission to correct impacts to wetland resources and 0-25' No Disturb buffer zone which was not authorized by the Commission.***

- **Erosion controls** shall be re-established at HW#61. All sediment that has entered into the 0-25' No Disturb zone (and/or on the wetland side of the erosion controls) shall be removed by hand and restored to the original pre-disturbance condition. Once this is completed please contact the Conservation Commission Office at 508-533-3292 and set up a site visit for review of these controls. The erosion controls shall be erected to the satisfaction of the Conservation Commission and/or its Agent.
- The applicant/property owner shall remove the mulch around HW#61 as it is eroding in to the 0-25' buffer zone and wetland resource. Additionally, all sediment shall be removed from rip rap, as this will continue to impact the effectiveness of the system. This is also a requirement of the SWPPP and Operations and Maintenance Plan referenced here in Requirement #8 below.
- The applicant/property owner shall add additionally Rip Rap to the overflow to prevent further impacts to wetland resources from continued high intensity storms.
- The applicant/property owner shall work with the Engineer of record based on the approved plans under the Order of Conditions DEP #216-0877 to determine why there is continued failure of Subsurface Infiltrator #4P. The applicant shall through the Engineer submit a plan for ensuring that #4P does not continue to impact the infrastructure of the development and the buffer zone and wetland resource **by July 9, 2020.**
- The applicant shall perform all tasks under the approved documents titled, "Supplemental Stormwater Compliance Documents" GLM Engineering Consultants, Inc., dated February 5, 2015 and "Stormwater Operation, Maintenance and Management Plan Millstone Village Winthrop Street Medway, MA", GLM Engineering Consultants, Inc, dated October 13, 20. This include removal of sediments which have bypassed the stormwater management system due to non-maintenance of this site. Specifically, all eroded materials to be remove from the wetland resource at HW #61.
- All requirements of this Enforcement Order and the Order of Conditions shall be performed by **July 23, 2020. Once completed at site visit shall be conducted on July 23, 2020 by the Agent and/or the Commission to review that all requirements have been met.**
- The applicant/property owner shall not perform any work under DEP #216-0857 or #216-0877 as these Orders have expired, the only work that shall be performed is the work noted within this Enforcement Order.
- The property owner(s) must attend the Commission meeting scheduled for **July 23, 2020 at 7:30 PM** (or propose a reasonable and timely alternative) to discuss with the Commission the offense

- ***If the property owner (s) do not meet the deadlines set forth herein by July 23, 2020, the property owner (s) shall be subject to additional fines (if the abovementioned violations are not rectified) may be up to \$300 a day per violation.***

***Mr. Travalini made a motion to ratify the Enforcement Order for 29 R Lovering Street. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.***

**52 Milford Street with 11 Bayberry Lane** – vote to ratify the Enforcement Order operating a business within the buffer zone and mowing a wetland resource 26 Evergreen Street – construction of two gaming courts installed within the wetland resource and 0-25' No Disturb Zone (maybe on the adjacent property)

Mr. Richard Dunne and Mr. Jason Robertson were present for the meeting. Mr. Dunne stated he gives Jason permission to do whatever he needs to do to get this done. Ms. Graziano stated the Building Department received a complaint about landscaping trucks going in and out of Milford Street so there was a question if there was a commercial operation going on. It was unclear if there were some wetland violations. There were materials in the wetland area and that area has been mowed and maintained over the years. Jason agreed to clean up the materials, she met with him again and the area has been cleaned up and he is moving his landscaping operation to another location. Mrs. Graziano stated they asked that he if he move all materials and attend this meeting and needs to file a NOI if he plans to do any work in the buffer area. She also asked that the wetland resource be put back to its preexisting conditions. Some of this area is actually on 11 Bayberry Lane not 52 Milford Street. Mr. Dunne mentioned there was a fence in back along the boundary before but most of it has been taken down. He does not need the fence put back but he can talk with Mr. Robertson about what needs to be done. Mr. Travalini asked if anyone had any questions. There were none.

***Mr. Travalini made a motion to ratify the Enforcement order for 52 Milford Street and 11 Bayberry Lane. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.***

#### ***26 Evergreen Street***

Luis Clara, a translator was present for the meeting and asked in Spanish if there was anyone here for this hearing. No one was present for this hearing. Ms. Graziano stated she will issue an order through the translator.

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

**Discussion 3** - DEP #216-0857 and 216-0877 - 129-R Lovering Street Millstone - Review of proposed amendments at Millstone Retirements Community

Ms. Graziano asked how the Commission would like to address the amendment at this point. They will have Tetra Tech review the work and if the Commission is ok with it then they can move forward.

**Discussion 4** – DEP #216-0854 - 259-263 Village Street Salmon Retirement Community – Review of SWPPP modifications

Ms. Graziano stated they made some amendments to their SWPPP. They created new drainage swales. All of the work besides the slope is outside of their jurisdiction. She asked Steve and he did not see any issues but we should make sure they follow up with the reports.

**Discussions 5** – Review Proposal for the Tree Bylaw stated he has been attending the Energy & Sustainability Committee meetings and trying to get them on board with the Tree Bylaw. He would like work with the Planning and Zoning Boards to be able to offer incentives to builders that put in small lawns instead of very large lawns.

**Hearings Public Hearing #1 – Notice of Intent (DEP #216-0961) 4 Ardmore Circle – Proposal to install replacement septic system with the abandonment of the existing system**

- WPA Form 3
- Plans titled, “Subsurface Sewage Disposal System Upgrade” by Outback Engineering, dated July 10, 2020

Ms. Elyse Tripp from Outback Engineering was present for the hearing on behalf of the owners. Ms. Elyse Tripp stated she and Ms. Graziano went out and walked the area, wetland flags # 2 and #4 were pushed back a bit and stated the stockpiling would be kept as far from wetlands as far as possible and a 12 inch compost sock will be used. Bridget asked if it for stockpiling and storage locations to be noted. They did go over the wetland flags and determined where the line should be. There is part of a retention basin adjacent to the wetlands. Ms. Graziano stated a compost sock and siltation fencing should both be used. They will be using the driveway during construction so erosion controls will be put on the sides of the driveway. Mr. Travalini asked if this will be a mounded system. Ms. Tripp stated yes.

Mr. Travalini asked if anyone had any questions. There were none.

Mr. Travalini read a letter from Mr. James Caglianni out loud for the record. Mr. Caglianni stated the vernal pools are not there now because the houses are there now. He is concerned if this project will affect his property. Mr. Travalini stated a failed system could be a concern for his property so putting in a new septic will be good. They are not filling in any wetland areas. Mr. Caglianni asked if it will be on the lawn side. Mr. McKay stated yes it is.

Ms Sandy Gaglionni, an abutter was also present for the hearing but did not have any comments

Mr. McKay stated he looked at aerial photos and it shows a lot of vegetation.

**Mr. Travalini made a motion to close the hearing for Notice of Intent (DEP #216-0961) 4 Ardmore Circle. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.**

**Ms. Graziano read the following statement:**

***The Commission hereby finds that the applicant has presented sufficient evidence to demonstrate that the proposed activity for the installation of a septic system to an existing single family home meets the provisions under 310 CMR 10.02 (2) (b) and (3), the Medway General Bylaw Article XXI Regulations, and the performance standards set under Section 3.04 and 5.***

**Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.**

**Public Hearing #2 – Notice of Intent (DEP #216-0962) 4 Fern Path – Proposal to install in ground pool (16' x 44') with associated patio, cabana, and fencing. Applicant has requested waiver for removal of 2 trees within the 0- 25' No Disturb Zone**

- WPA Form 3
- Plans titled, "Proposed Site Plan for 4 Fern Path", dated July 20, 2020 by Allen Engineering & Associates

Mr. Tim McGuire, Wetland Scientist was present on behalf of Stacy and Jarred O'Neal for this hearing. They have a single family house with a proposed salt water pool, cabana structure with a pool deck and over flow spa. The work is within the limit of lawn. Ms. Graziano asked if he has the manufactures manual for the pool. Ms. O'Neal stated she has it and will send it to Ms. Graziano. Ms. Graziano stated the water has to be pumped and brought offsite by truck. She would like the access area to be shown on the plan. The erosion controls should be extended down towards the driveway. Ms. Graziano stated the erosion controls should go along the south side of the house in front of the shed and to the back corner of the driveway. Mr. Travalini asked about the existing bounds. Mr. O'Neal stated Mike Narducci put the bounds in when he built the lot. Mr. Travalini stated they are in odd spots and should be moved. Ms. Graziano wants to keep the bound at # 36 but other flags need to be added on the 25 foot no disturb zone. Add one at the first # 30 (there are 2 #30s) and at # 24. The erosion control barrier should be 12 inch biodegradable compost sock and siltation fencing not waddles as Medway does not allow waddles. Ms. Graziano asked about any landscaping plans. A few shrubs are proposed near the shed. Ms. Graziano stated they should be native species approved by the Commission. They should put in a note on the plan that they will comply with the pool water disposal. Tim McGuire stated he applicant wants to remove three trees, a Maple tree and two Red Oaks. Ms. O'Neal stated there are 4 trees, there is also an Oak tree. All these trees will cause shade on the pool and debris going into the pool. Mr. Travalini stated they can prune the trees but not cut them down. Cutting them down can cause edge effects on the 25. Mr. McGuire will discuss these revisions with his client.

Mr. Travalini asked if anyone had any questions or comments. There were none. Mr. Travalini, Ms. Gill and Mr. McGuire will do a site walk on Tuesday, August 25<sup>th</sup> at 10:00 am.

***Mr. Travalini made a motion to continue Notice of Intent (DEP #216-0962) 4 Fern Path to the August 27<sup>th</sup> 2020 meeting at 7:45 pm. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay 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) Request for Amendment to Order of Conditions (DEP #216- 0936) proposal to install utilities**

- Letter titled, “Request to Amend the Order of Conditions DEP File #216-0936 0 26 Kelley Street” by Andrews Survey and Engineering, Inc. dated May 18, 2020
- Plans titled, “Utility Connection Plan” by Andrews Survey and Engineering, Inc. dated April 27, 2020
- Public Hearing #4 -(Con’t 6/25/2020, 7/23/2020) 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

***Per the request of the applicant, Mr. Travalini made a motion to continue this to August 27<sup>th</sup> meeting at 7:45 pm. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.***

**Public Hearing #5 – (Con’t 6/25/2020, 7/23/2020) 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
- Disturbance Permit

***Per the request of the applicant, Mr. Travalini made a motion to continue 160 Holliston Street to August 27<sup>th</sup> meeting at 7:45 pm. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.***

**Public Hearing #6– (con’t 2/13/2020, 3/26/2020, 5/14/2020, 6/11/2020, 6/25/2020, 7/23/2020) 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 e 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 020, 7/23/2020)

***Per the request of the applicant, Mr. Travalini made a motion to continue this to August 27<sup>th</sup> meeting at 7:45 pm. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.***

**Public Hearing #7 –165 Main Street Notice of Intent (DEP #216-0956) (con’t 3/12/2020, 4/9/2020, 4/23/2020, 5/14/2020, 6/11/2020, 6/25/2020) sal 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

***Per the request of the applicant, Mr. Travalini made a motion to continue this to August 27<sup>th</sup> meeting at 7:45 pm. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.***

**Approval of Meeting Minutes - 5/14/2020, 5/28/2020, 6/11/2020, 6/25/2020, 7/23/2020**

***Mr. Travalini made a motion to approve the 5/14/20, 5/28/20 and 6/25/20 meeting minutes as amended. They were amended to correct a typo. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay all stated aye they were in favor and it was voted to approve 5-0-0.***

#### **Agent Report**

Nothing to report

#### **Chair Report**

Nothing to report

**Adjourn**

***Ms. Gill made a motion to adjourn the meeting at 10:44 pm. Dave Blackwell seconded the motion and Dayna Gill, Dave Blackwell, Keith Downing and Ken McKay 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 August 13, 2020 meeting**

All documents shall be kept in the Conservation Commission Office files

### **Request for Determination of Applicability**

**3 Island Road – RDA-20-21** proposal to remove 5 trees within jurisdictional areas

**6 Brookside Road – RDA-20-22** proposal to install a deck (8'x30') within the Riverfront Area/100' buffer zone to BVW Request for Certificate of Compliance 6 Queens Way DEP #216-0448 – Proposed construction of a single family home

**4 Fern Path DEP #216-0825** – proposal to construct a single family home and shed

### **6 Queens Way**

Mr. Stephen Kenney was present for the meeting and stated the bounds were put in. Ms. Graziano stated she went out and saw them and they are all set.

**Discussion 1** – Glenn Brook Way DEP #216-0929 - Review and vote on fill site for Order of Conditions compliance with condition # 47.

**Discussion 2** - Vote to ratify the following Enforcement Orders

- **18 Village Street** – on going violation for non-compliance with Order of Conditions DEP #216-0939h
- **23 Village Street** – amended Enforcement Order to comply with site visit

**29 R Lovering Street** –Order of Conditions DEP #216 -0877 for dumping of materials within 0-25' buffer zone outside permitted limit of work 158 Holliston Street/160 Holliston Street – working without a valid Order of Conditions.

**52 Milford Street with 11 Bayberry Lane** – vote to ratify the Enforcement Order operating a business within the buffer zone and mowing a wetland resource 26 Evergreen Street – construction of two gaming courts installed within the wetland resource and 0-25' No Disturb Zone (maybe on the adjacent property)

### **26 Evergreen Street**

No one was present for this hearing.

**Discussion 3** - DEP #216-0857 and 216-0877 - 129-R Lovering Street Millstone - Review of proposed amendments at Millstone Retirements Community

**Discussion 4** – DEP #216-0854 - 259-263 Village Street Salmon Retirement Community – Review of SWPPP modifications

**Discussions 5** – Review Proposal for the Tree Bylaw stated he has been attending the

**Hearings Public Hearing #1 – Notice of Intent (DEP #216-0961) 4 Ardmore Circle – Proposal to install replacement septic system with the abandonment of the existing system**

- WPA Form 3
- Plans titled, “Subsurface Sewage Disposal System Upgrade” by Outback Engineering, dated July 10, 2020
- Letter from abutter, Mr. James Caglianni

**Public Hearing #2 – Notice of Intent (DEP #216-0962) 4 Fern Path – Proposal to install in ground pool (16’ x 44’) with associated patio, cabana, and fencing. Applicant has requested waiver for removal of 2 trees within the 0- 25’ No Disturb Zone**

- WPA Form 3
- Plans titled, “Proposed Site Plan for 4 Fern Path”, dated July 20, 2020 by Allen Engineering & Associates

**Public Hearing #3– (Con’t 6/25/2020, 7/23/2020) Request for Amendment to Order of Conditions (DEP #216- 0936) proposal to install utilities**

- Letter titled, “Request to Amend the Order of Conditions DEP File #216-0936 0 26 Kelley Street” by Andrews Survey and Engineering, Inc. dated May 18, 2020
- Plans titled, “Utility Connection Plan” by Andrews Survey and Engineering, Inc. dated April 27, 2020
- Public Hearing #4 -(Con’t 6/25/2020, 7/23/2020) 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 #5 – (Con’t 6/25/2020, 7/23/2020) 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
- Disturbance Permit

**Public Hearing #6– (con’t 2/13/2020, 3/26/2020, 5/14/2020, 6/11/2020, 6/25/2020, 7/23/2020) 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**

**Public Hearing #7 –165 Main Street Notice of Intent (DEP #216-0956) (con't 3/12/2020, 4/9/2020, 4/23/2020, 5/14/2020, 6/11/2020, 6/25/2020) sal 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