



MEDWAY CONSERVATION COMMISSION MEETING
155 Village Street – Sanford Hall, Medway, MA 02053
January 9, 2020 - 7:30 P.M.

<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			Arrived 8:20	Missed discussion #1 & Hearing #1
Dayna Gill	X			
Ken McKay	X			
Keith Downing		X		
<u>Agent</u>				
Bridget Graziano	X			
Consultant/Other				

Mr. Travalini called the meeting to order at 7:36 pm.

Discussion #1 23 Village Street Notice of Violation – stockpiling and clearing within the 0-25’ buffer zone of a Bordering Vegetated Wetland

Mr. Jason Roberts, Ms. Sandra Ramsey and Mr. Paul DeSimone were present for the discussion. Ms. Graziano stated the ConCom has an open permit for work for Eversource nearby. They have been doing regular inspections and they noticed a significant amount of stockpiling of materials on 23 Village Street near the wetland and the BVD that borders the Charles. Ms. Graziano issued a violation notice. She needs to know where the lot lines are because based on the assessor’s maps, it

appears some of the structures are over the property line. It looks like there is a grazing area that might be on town land.

Mr. DeSimone stated he calculated the size of the wetlands and he doesn't think its 5,000 square feet. Mr. Travalini stated it doesn't matter if it's less than 5,000 square feet but it is still under their bylaws. Ms. Ramsey stated they can't find where the pipe comes out. They are questioning the connection because they don't know where the pipe comes out. Ms. Ramsey stated there is no moving water in it.

Ms. Ramsey stated most of the materials are made up of organic matter and dirt from the property. Ms. Graziano stated the Board of Health issued a violation because some of the materials had manure in it and that cannot be near the wetlands.

Ms. Graziano stated if they want to argue the area is less than 5,000 square feet and an isolated wetland, they will need to hire a Wetland Scientist to delineate the wetlands and measure the size of it. Ms. Graziano stated she thinks it is over 5,000 square feet and connected to a BVW. If it doesn't meet any of those criteria than they can do whatever they want on their property.

Mr. Roberts stated they had the lot lines surveyed years before and he thinks the piles will be close to the lot lines. Ms. Ramsey stated they are willing to move it 25 feet from the wetland. Ms. Graziano stated they have to move it 100 feet according to the Board of Health violation as it cannot be near drinking water or a wetland. Ms. Ramsey stated they should be able to put up a vegetative berm in between the compost pile and the wetlands. Mrs. Graziano stated she would need to do a site walk to see what materials are out there and the materials would need to be tested for contamination. There could be a solid waste violation.

Ms. Graziano stated she will need to see all of the property lot lines to ensure all the stockpiled materials are on their property and not spilling over onto the neighbors' property. This is a request from Michael Boynton not the ConCom. Ms. Graziano stated she will need to do a site walk after they have the property staked out. They scheduled a site walk for Wednesday, January 15th at 10:00 am.

Mr. Roberts stated he sometimes sells the compost materials and asked Ms. Graziano if it's still ok to do this. Ms. Graziano stated its fine to take materials off

the property just don't bring any in. Mr. Travalini stated he can also remove the loam off of his property if he wants to.

Public Hearing #1 - 79 Lovering Street DEP #216-0947) proposal to construct a two family dwelling, driveway, utilities, and landscaping

- WPA Form 3
- Plan titled, "Proposed Structure Plan of Land in Medway, MA" by Colonial Engineering, dated August 19, 2019

Mr. Paul DeSimone was present for this hearing and stated he now has a DEP # and the check was hand delivered but he is asking for a continuance to the next meeting.

Per the request of the applicant, Mr. Travalini made a motion to continue to 79 Lovering Street DEP #216-0947) to the January 23, 2019 meeting at 7:45pm. Mr. Blackwell seconded the motion and it was voted to approve 4-0-0.

Mr. DeSimone asked the commission to release # 81 for demolition. He stated he has a demo permit for the barn and he wants to put a foundation on lot # 3. There will be no cutting or clearing of any trees. The house is going to go where the barn is. Ms. Graziano stated she thinks it is ok to take down the barn but does not recommend releasing the lot to put the foundation in because they have not even seen the plan for the house yet. They will put up the erosion controls and tear down the barn.

Public Hearings #2 – 49 Milford Street ANRAD (DEP #216-09xx) Request to review the wetlands delineation line

- WPA Form 4a
- Cover Letter titled, "49 Milford Street Abbreviated Notice of Resource Delineation (ANRAD)
- Plans titled, "Delineated Resources Map Medway-49 Milford Street by TRC, dated November 2019
- 21-day waiver, by TRC Laura Lefebvre dated 12/4/19
- Permission to enter property, dated 12/7/19

Mr. Gregory Russo was present for the hearing and stated they are looking for a continuance to February as they are trying to get an ANRAD but there is an offsite perennial stream that goes into the area. They are trying to get permission from all the abutters to survey the area along the stream.

Per the request of the applicant, Mr. Travalini made a motion to continue 49 Milford Street ANRAD (DEP #216-09xx) to the February 13, 2019 meeting at 7:45 pm. Mr. Blackwell seconded the motion and it was voted to approve 5-0-0.

Public Hearing #3 – 123 Main Street (DEP #216-09xx) Notice of Intent 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
- Stormwater Report titled, “The Corner of Elm and Main Street for Medway, MA” by Legacy Engineering, dated December 10, 2019

Mr. Dan Merrick from Legacy Engineering and Mr. Tom Rebula from Goddard Consulting was present for the hearing. Mr. Merrick stated this piece of property is from an ANRAD a few years ago. It was sub-divide into four lots. The lot used to be split; half commercial, half residential. The applicant wants to install two 2 family homes. Because one is commercial they needed to go to the Zoning Board and they were granted the necessary release but it required that the driveway come out onto Elm Street instead of Main Street. They would like to go back to the Zoning Board and ask to have the driveway come off of Main Street instead of Elm Street which maintains a much wider setback which would have less of a negative effect on the wetlands. They would like Ms. Graziano/and or a ConCom representative to go to the Zoning Board meeting to support their request to have the driveway come in off Main Street instead of Elm Street. Mr. Snow suggested they could write a letter of support to the Zoning Board stating they support the

driveway coming in off of Main Street as it would have the least impact on the wetlands.

Mr. Travalini made a motion for Ms. Graziano to write a letter to the Zoning Board stating they support the request for the driveway to come in off of Main Street. Mr. Snow seconded the motion and f it was voted to approve. 5-0-0.

Pet the request of the applicant, Mr. Travalini made a motion to continue 123 Main Street (DEP #216-09xx) to the February 27th meeting at 7:45pm. Ms. Gill seconded the motion and it was voted to approve 5-0-0.

Public Hearing #4 – 274 Village Street (DEP #216-0940) Request for Amendment to Order of Conditions for proposal to reduce the amount of units for multi-family housing

- Document titled, “Stormwater Report for William Wallace Village” by Legacy Engineering, dated December 27, 2019
- Letter Titled, “Order of Conditions DEP # 216-0940 Amendment Request 274 Village Street” by Legacy Engineering, dated December 27, 2019
- Plan titled, “William Wallace Village Medway, MA Site Plan, by Legacy Engineering, dated December 27, 2019

Mr. Dan Merrick was present for the hearing and he explained they originally had 14 units but the Planning Board asked them to reduce the number of units from 14 down to 12. He stated they are still waiting for information from Tetra Tech so they need a continuance.

Per the request of the applicant, Mr. Travalini made a motion to continue 274 Village Street (DEP #216-0940) to the January 23, 2019 meeting at 7:45 pm. Mr. Snow seconded the motion and it was voted to approve 5-0-0.

Public Hearings #5 – 4 Marc Road (DEP #216-0943) Request for Amendment to Order of Conditions proposal to add additional fire road for access which includes amendments to the stormwater calculations

- Letter titled, “4 Marc Road (NEO Organics, LLC)” by DGT Associates, dated October 23, 2019

- Plans titled, “Permit Site Plan 4 Marc Road, Medway, Massachusetts 02053” by DGT Associates, dated October 24, 2019, final revision December 13, 2019
- Document titled, “Stormwater Operations and Maintenance Plan for 4 Marc Road, Medway, Massachusetts 02053” (Appendix 5 of the “Stormwater Management Design and Runoff Calculation Report for 4 Marc Road, Medway, Massachusetts 02053” by DGT Associates, revised December 13, 2019)
- Document titled, “Stormwater Calculations – Recharge, 4 Marc Road, Medway, MA” by DGT Associates, dated October 8, 2019, revised December 3, 2019
- Document titled, “Rational Method Calculations of Roof Drains and Concrete Pad Area Drains” by DGT Associates
- HydroCAD print titled, “25457-Proposed Conditions-FOR SWALE” by DGT Associates
- Stormwater Drainage Report titled, “Stormwater Management Design and Runoff Calculations Report for 4 Marc Road, Medway, Massachusetts 02053”, by DGT Associates, dated September 19, 2019, final revision December 13, 2019
- Document Titled, “Long Term Pollution Prevention Plan for 4 Marc Road, Medway Massachusetts 02053” (Appendix 2 of the “Stormwater Management Design and Runoff Calculation Report for 4 Marc Road, Medway, Massachusetts 02053” by DGT Associates, dated September 19, 2019, final revision December 13, 2019)
- Exhibit Plan titled, “Land Disturbance Area Plan” by DGT Associates, dated October 22, 2019 final revision December 13, 2019
- Document titled, “Rational Method Calculations of Roof Drains and Concrete Pad Area Drains” by DGT Associates
- HydroCAD print titled, “25457-Proposed Conditions-FOR SWALE” by DGT Associates

Mr. Bert Corey with DGT Associates was present for the hearing and stated Medway Fire requested a fire access road to the equipment pad. In order to do this they had to add some additional storm water features. There are two catch basins running through the same water quality unit as before. They also looked at the

disturbance which came up to 1,9931square feet. Ms. Graziano stated there were no additional conditions but she had to amend every single document.

Mr. Travalini made a motion to close the hearing for DEP 216-943 amendment to Order of conditions. Mr. Snow seconded the motion and it was voted to approve 5-0-0.

Mr. Travalini made a motion to issue an Amendment to the Order of Conditions for DEP 216-943 with the findings listed below. Mr. Snow seconded the motion and it was voted to approve 5-0-0.

The Commission hereby finds that the amended proposal for work which includes a 17' vehicular fire access road with upgrades to the stormwater management system was presented at this public hearing where the applicant presented evidence sufficient to demonstrate that the proposed activity meets the provisions under 310 CMR 10.02 (2)(b) & (3), 310 CMR 10.02(5), 310 CMR 10.05(6)(k-o), 310 CMR 10.54 (4)(a), 310 CMR 10.55(4), and Medway General Bylaw Article XXI Regulations and the performance standards under Section 3.01, 3.02, 3.03, 3.04, and Section 5.

Additionally, the Commission finds that the previously approved the work for installation of a concrete pad, upgrades to the existing site, including improvements to parking areas, the existing stormwater management system, and wetland resources (impacted by sediments from stormwater discharge), meets the abovementioned regulations.

The Commission has granted a waiver of the 0-25' No Alteration Zone under Section 7 of Article XXI Regulations for work to remove sediment from the wetland resource, as sediment has accrued over the years from the discharge of the Stormwater Management System.

Ms. Graziano asked the commission if they would waive the fee from \$500 to \$125.

Mr. Snow made a motion to waive the fee from \$500 to \$125. Ms. Gill seconded the motion and it was voted to approve 5-0-0.

Public Hearing #6 – 22 Evergreen Street (MBL-20-02) proposal to construct two buildings with 7 residential units including associated parking areas, driveways, stormwater management system

- WPA Form 3
- Plans titled, “Evergreen Village – 22 Evergreen Street, Medway, MA” by Ron Tiberi, dated September 4, 2019
- Stormwater Report titled, “Evergreen Village 22 Evergreen Street Medway, MA” by Ron Tiberi, dated December 17, 2019
- Letter titled, “Evergreen Village Revision Summary”, by Ron Tiberi, dated December 24, 2019
- Project Narrative Description and Impacts by Ron Tiberi, dated November 2019
- Plans titled, “Evergreen Village” by Cheney Engineering Co., Inc, dated November 22, 2019

Mr. Ron Tiberi, Engineer and Ms. Debby Anderson, Wetland Specialist were present for the hearing. Mr. Tiberi stated they had 7 units last time they were here before the ConCom. There were comments and issues regarding the setbacks from the wetlands that impacted the drainage systems. They are now waiting for comments from Tetra Tech. So they changed the plans down to 6 units and provided some open space in the back. All units are on slab grades. They are going to naturalize the lawn in back and they will be putting in plantings. Mr. Travalini does not want arborvitaes in this area. He suggested dog woods, red cedars, rhododendrons, mountain laurel or some other native species. Ms. Graziano stated there are also some trees in the landscaped area. Native Dogwoods are good as they don’t require much maintenance except trimming and pruning. Ms. Anderson stated they are removing one tree.

Ms. Graziano stated the bocce area is going to be removed by hand and a conservation wild mix will be put down. Ms. Graziano asked how this will be done. Ms. Anderson stated she is not sure about the loam but it will all be done by hand. Ms. Graziano stated she would like it to look natural and they should not use mulch. She asked if they could add the restoration area to sheet S4. Ms. Graziano asked if the plans were stamped by the engineer. Mr. Tiberi stated yes, the stamped survey plan is the last sheet in the package. Ms. Graziano asked about the foundation of the unit and how close it was. Mr. Tiberi stated they went from 4 to 8 feet and it’s still slab to grade. MS. Graziano stated they added stockpiling for phase 1 but what about phase 2? Mr. Tiberi stated there shouldn’t be much

stockpiling at that point, just the footings would be dug out but no stockpiling of materials. Ms. Graziano asked about temporary sedimentation basins. Mr. Tiberi stated he doesn't think they will need them because it's pretty shallow and the drainage system will be installed first. Ms. Graziano would like him to spell out phase 1 and 2 in writing. Ms. Graziano asked about the use of fertilizers. Mr. Tiberi stated it is in the O&M plan. Ms. Graziano asked about marker fencing. Mr. Tiberi stated it's very similar to what they use for delineating bounds. Ms. Graziano stated she wants them to use 12-inch biodegradable compost socks and siltation fencing. She does not want them to use orange snow fencing. She asked if the commission wants a sign about snow plowing. Mr. Travalini stated yes at the end of the street. Ms. Graziano asked about verifying the lot lines. Mr. Tiberi stated their contractor will stake it out. Ms. Graziano stated she did not see anything about inspection ports. Mr. Tiberi stated he can show them on the plan. Ms. Graziano stated they added granite bounds but does the ConCom want a fence. Mr. Snow stated they are fine with the bounds.

Per the request of the applicant, Mr. Travalini made a motion to continue 22 Evergreen Street (MBL-20-02) to the February 13, 2019 meeting at 7:45pm. Mr. Blackwell seconded the motion and it was voted to approve 5-0-0.

Public Hearing #7– 28 Milford Street (DEP #216-0946) Notice of Intent – proposal to construct a single family home, utilities, driveway, and septic system

- WPA Form 3
- Plans titled, “Proposed Single Family Structure” by Colonial Engineering, dated December 9, 2019
- 21-day waiver letter signed

Mr. Paul DeSimone was present for the hearing and stated the owner is proposing to build a house in the back outside of the 25-foot buffer. He is going to build the home before he tears the existing home down. They will be using the same leach field. Mr. Snow would like him to show the septic connections.

Mr. DeSimone stated the tank is outside the 100-foot zone. The existing driveway will be used as the construction entrance. Ms. Graziano stated they can't be driving all over Milford Street. Ms. Graziano stated they could put some crushed stone

near the shed. Ms. Graziano stated she needs to review the wetland flags. She would like the erosion controls extended out near the recharge area.

Per the request of the applicant, Mr. Snow made a motion to continue 28 Milford Street (DEP #216-0946) this to the January 23, 2019 meeting at 7:45 pm. Ms. Gill seconded the motion and it was vote to approve 5-0-0.

Public Hearing #8 – Request for Amendment to Order of Conditions DEP #216-0837 21 Trotter Drive - proposal to remove infiltration trenches

- Letter titled, “Minor Amendment of Order of Conditions” by EDC, Inc., dated November 1, 2019
- Plans titled, “21 Trotter Drive A Site Plan Medway, MA” by EDC, Inc, dated October 8, 2019

Mr. Peter Bemis and Mr. Bob Marzelli were present for the hearing. Mr. Bemis stated they submitted the plans dated October 8th but the Planning Board asked for additional things on the plan. 1. The date of the decision connector between the two sites showed the work that was done including permanent barriers in place. It is all planted and mulched. Mr. Bemis stated the ConCom had asked to show the connection between 20 to 21. They were asked to set the barrier closer to the wetland area to store materials and they have done this. They also moved the fuel storage area further away and scaled it down. Ms. Graziano stated she wants a letter from Tetra Tech stating that everything is all set. She will change a few of the conditions regarding the new access way and restoring it.

Per the request of the applicant, Mr. Travalini made a motion to continue the Request for Amendment to Order of Conditions DEP #216-083, 21 Trotter Drive to the January 23, 2019 meeting at 7:45 pm. Mr. Snow seconded the motion and it was voted to approve 5-0-0.

Public Hearing #9 - Medway Wetlands Regulation Amendments

Mr. Travalini stated they just need to clarify the definition of a drought. He drafted a definition. They also need to define intermittent stream. Ms. Graziano stated the state of Massachusetts has 8 criteria and they have to meet 4 or more to call it a drought. Mr. Snow asked if they can remove some of the political implications

and fit it to our area. All members will review the website and come up with a defensible definition.

Discussion #2 – Land Management

Not discussed.

Discussion #3 - Tree Protection Bylaw Proposal

Not Discussed.

Approval of Meeting Minutes - 9/26/19, 10/10/19, 10/24/19, 11/14/19, 11/21/19, 12/12/19

9/26/19 Meeting Minutes

Per the review of the Conservation Agent, Mr. Travalini made a motion to approve the 9/26/19 meeting minutes. Mr. Blackwell seconded the motion and it was voted to approve 5-0-0.

10/10/19 Meeting Minutes

Per the review of the Conservation Agent, Mr. Travalini made a motion to approve the 10/10/19 meeting minutes. Mr. Snow seconded the motion and it was voted to approve 5-0-0.

10/24/19 Meeting Minutes

Per the review of the Conservation Agent, Mr. Travalini made a motion to approve the 10/24/19 meeting minutes. Mr. Snow seconded the motion and it was voted to approve 5-0-0.

No other meeting minutes were approved at this meeting.

Agent Report

Chair Report

Mr. Travalini stated he will try to work on the new format for meeting minutes and make some tweaks to it.

Adjourn

Mr. Snow made a motion to adjourn the meeting at 10:20 pm. Ms. Gill seconded the motion and it was voted to approve 5-0-0.

Respectfully submitted by,

Tracy Rozak
Recording Secretary

*Next Scheduled Public Meeting: January 23, 2020 at 7:30PM- Sanford Hall,
Town Hall 155 Village Street, Medway, MA 02053

Documents Presented at the January 7, 2020 meeting

All documents shall be kept in the Conservation Commission Office files

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