



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

October 22, 2020 7:30 pm

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.

<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		X		
Dayna Gill	X			
Ken McKay	X			
Keith Downing		X		
Agent				
Bridget Graziano	X			
Consultant/Other				

Mr. Travalini called the meeting to order at 7:33 pm.

Mr. Travalini asked if anyone had anything to add to the agenda. Ms. Graziano stated we are going to go into executive secession after the meeting and not go back into the open meeting.

Request for Determination of Applicability

19 Juniper Road (RDA-20-29) – proposal to remove 5-6 trees

Joel and Reagan Morgenstein were present for the meeting. Mr. Morgenstein stated they got an estimate to have some trees taken down and then there was a storm and some big pines fell down and took the tops off of 4-5 other trees. Several trees have fallen down in the past few years and they feel they are a threat to the house. They would like to have these trees taken down. Ms. Graziano stated the two white pines had damage from the storm and she feels they can go ahead and take those two down. There was another pine in the same area but in a forested area and on the BVW line. Another three white pines are 12-15 feet from an intermittent stream and additional tree on upgrading 5-10 feet from the stream itself. They wanted to prune an Oak Tree behind the shed which is outside of the Commission's jurisdiction.

Mr. Travalini stated they don't allow healthy trees to be taken down within 25 feet of a wetland. Mr. Travalini stated we just can't have every person take trees down that they feel are a threat to their house. If the trees were sick or dying then they would allow them to be taken down. Ms. Graziano stated she received a letter from the office of the tree service that stated one of the white pines is dead and in danger of falling. Ms. Graziano recommends the Commission meet with the certified arborist on site to look at the trees they are saying are dead. Ms. Graziano will schedule the visit with the arborist.

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

Mr. Travalini made motion to continue 19 Juniper Road (RDA-20-29) to the November 12, 2020 meeting at 7:45 pm. Mr. Blackwell seconded the motion and Mr. McKay and Ms. Gill stated aye they were in favor so it was voted to approve 4-0-0.

10 Iarussi Way (RDA-20-30) – Proposal to install fencing approximately 167' to the rear of the building

Ms. Laura Connolly was present for the meeting. Laura stated they had the wetland delineation done last year at the rear of property. There is a 25 foot setback line in the back and they put in granite bounds. Just past that area is the town property and a new trail path put in. They would like to put a fence in there for privacy. The fence would be 6 inches off the ground to allow for movement underneath. Ms. Graziano recommends six inches underneath to allow for wildlife movement and after the fence is installed the Commission will do a site visit to ensure the fence is positioned per the approved plans. Mr. Travalini asked if the buffer easement is 25 feet off of the town's property and is supposed to remain wild. Ms. Graziano stated the area is supposed to remain vegetated.

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

Mr. Travalini made a motion to issue a positive five, negative three Determination of Applicability for (RDA -20-30)10 Iarussi Way. Ms. Graziano read the following statement:

On October 22, 2020 public meeting, Conservation Commission approved and signed, a Positive 5 and Negative 3 Determination, for the work proposed in your Request for Determination, filed with the Commission on October 9, 2020. The proposed work to install a fence approximately 167' in the west portion of the lot will take place at the 26' Buffer Zone for Bordering Vegetated Wetland, may be carried out in observance of the following conditions:

1. *Any and all disturbed areas within the 100' buffer zone shall be seeded post-construction. All seeded area must be established and stable prior to the removal of the erosion control line. The applicant must contact the Conservation Agent for approval to remove the erosion control line and review seeded areas for establishment of vegetation.*
2. *The applicant shall contact the Agent to schedule a site visit, once the fencing is completed, to document compliance with the approved Plans titled, "Existing Conditions #10 Iarussi Way Medway, MA" by Grady Consulting, dated November 26, 2018 with hand drawing*
3. *The applicant shall allow approximately 6"-12" of space from the existing grade to the bottom of the fencing. This spacing shall allow for wildlife migration to and from resource areas.*
4. *The applicant shall be constructed under the requirements of the Quitclaim Deed, recorded on April 29, 2010 under Book 27630 Page 146, for buffer strip easement area.*

David Blackwell seconded the motion and Ms. Gill and Mr. McKay stated aye they were in favor and it was voted to approve 4-0-0.

– Proposal to construct a sunroom and deck

Sheri and Bill Taglaferri were present for this meeting. Bill Taglaferri stated there is an existing deck along the house that is 12 by 22. He wants to put a 12 by 12 section on top of it and make an enclosed porch and extend the deck 5 feet away from the house. Ms. Graziano explained this is a private lane off of Chicken Brook and most of the area is flat and until the top of the bank and that has shrubbery. Based on her site visit, she does not recommend to have an erosion control limit of work as there will only be 3-4 additional footings and it is 148 feet from the brook. Ms. Graziano stated she spoke to Mr. Taglaferri about letting the roof run off just dissipate into the ground and not go over any impervious surfaces.

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

Mr. Travalini made a motion to issue a positive five, negative three Determination of Applicability for 1 Rolling Lane (RDA-20-31). Ms. Graziano read the following statement:

On October 22, 2020 public meeting, Conservation Commission approved and signed, a Positive 5 and Negative 3 Determination, for the work proposed in your Request for Determination, filed with the Commission on October 9, 2020. The proposed work will take place within 148' of Chicken Brook – perennial stream. The proposed work, which includes the construct of a sunroom over existing deck with a 5' expansion of the existing deck, may be carried out in observance of the following conditions:

1. ***The Applicant only if required by the Agent and/or the Commission** shall perform the following, prior to the commencement of work, establish a limit of work barrier using compost (filter) mitt (straw wattles are NOT PERMITTED) along the 60' buffer zone. The Conservation Agent shall be notified when this barrier is in place, prior to the commencement of any work, so that she may make an inspection. The Conservation Commission reserves the right to require additional erosion and/or damage prevention controls it may deem necessary.*

2. *Any and all disturbed areas within the 100' buffer zone shall be seeded post-construction.*
3. *The applicant shall contact the Agent to schedule a site visit, once the project is completed, and placed in the proposed approved location, in order to verify the location matches the approved plans titled, "Certified Plot Plan 1 Rolling Lane Medway, MA" by O'Driscoll Land Surveying, dated October 6, 2020.*
4. *The applicant shall not direct roof run-off into or onto impervious surfaces or slopes which cause erosion into Chicken Brook. The applicant shall direct roof run-off into vegetated areas to allow infiltration into the ground or connect roof drains into a dry well or sub surface infiltrators. Any underground structures shall be approved by the Agent and/or the Commission prior to their installation.*

Mr. Blackwell seconded the motion and Mr. McKay and Ms. Gill said aye they were in favor and it was voted to approve 4-0-0.

Public Hearing #1 – Notice of Intent (DEP #216-0965) 56 Milford Street proposal to install a replacement septic system

- WPA Form 3
- Plan titled "Septic System Repair" Presby Enviro-Septic Treatment Remedial Use 56 Milford Street Medway, MA 02056 (typo) prepared by GW Site Solutions 248 Elm Street Blackstone, MA 01504

Mr. Bruce Wilson was present for this hearing and said they received their DEP number and they have no issues so they should be able to close the hearing tonight.

Mr. Travalini made motion to close the hearing for (DEP # 216-0965). Mr. Travalini made a motion to issue a Notice of Intent for (DEP #216-0965) 56 Milford Street. 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 25 and 26. Additionally, the Commission finds to grant a waiver under Section 29 of the Regulation for Section 21.2 (b) of the Medway General Bylaw Article XXI for temporary disturbance of the 0-25' only. The 0-25' No Disturb Zone shall be restored to preconstruction conditions, which is lawn.

Mr. Blackwell seconded the motion and Ms. Gill and Mr. McKay stated aye they were in favor and it was voted to approve 4-0-0.

Public Hearing #2 - (Con't 6/25/2020, 7/23/2020, 8/13/2020, 8/27/2020, 9/10/2020, 9/24/2020) 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 158 Holliston Street (DEP #216-0959) to the November 12, 2020 meeting at 7:45 pm. Mr. Blackwell seconded the motion and Ms. Gill and Mr. McKay stated aye they were in favor and it was voted to approve 4-0-0.

Public Hearing #3 – (Con’t 6/25/2020, 8/13/2020, 8/27/2020, 9/10/2020, 9/24/2020) 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
- Land Disturbance Permit

Per the request of the applicant, Mr. Travalini made a motion to continue 160 Holliston Street (DEP #216-0958) to the November 12, 2020 meeting at 7:45 pm. Mr. Blackwell seconded the motion and Ms. Gill and Mr. McKay stated aye they were in favor and it was voted to approve 4-0-0.

Public Hearing #4 – (con’t 3/12/2020, 4/9/2020, 4/23/2020, 5/14/2020, 6/11/2020, 6/25/2020, 7/23/2020, 8/13/2020, 8/27/2020, 9/10/2020, 9/24/2020) 165 Main Street Notice of Intent (DEP #216-0956) proposal 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 165 Main Street (DEP #216-0956) to the November 12, 2020 meeting at 7:45 pm. Mr. Blackwell seconded the motion and Ms. Gill and Mr. McKay stated aye they were in favor and it was voted to approve 4-0-0.

Discussion 1 – Request for Extension (DEP #216-0900) 15 West Street proposal to construct a cell tower, compensatory flood storage, Riverfront restoration

Ms. Audra Klumba was present for this meeting and stated everything has been done per the Order of Conditions except for allowing the compensatory areas to be monitored for two growing seasons. They

did monitor this year but will need to monitor it next year. They are requesting an extension to allow for the next growing season and they are requesting a reduction in the fee to one hundred dollars.

Mr. Travalini voted to approve an extension to the Order of Conditions DEP #216-0900 – 15 West Street for one year, October 17, 2021, for the completion of restoration reports required under the Order. He also voted to reduce the extension fee to one hundred dollars for (DEP #216-0900) 15 West Street. Mr. Blackwell seconded the motion and Ms. Gill and Mr. McKay stated aye they were in favor and it was voted to approve 4-0-0.

Discussion 2 - Review of land management at Williamsburg Way Conservation Land Vote to transfer and use funds from the Conservation Trust Fund for Land Management

Ms. Graziano stated we are not going to do this as the land has a conservation restriction on it. The agreement was that the management of the land was to be done by the condo commission. Mr. Travalini stated they wanted to put a trail around it and maintain it. Ms. Graziano will talk to the condo association manager and see if they will use Ed Berry for the maintenance.

Discussion 3 – Review Enforcement Order for 21 High Street issued June 3, 2019 and discuss issuance of new Amended Enforcement Order

Ms. Graziano stated that in June 2019 she received a complaint from a neighbor that complaint there was a motor bike track on the property owned by the Patrick and Michael Larkin. The property was being rented and the renter created an ATV track for his kids a portion of it was in the buffer zone. The Commission issued an enforcement order and asked the renter to file an application for restoration. The renter came to the June meeting and was supposed to submit a planting plan but she has not received it. Tomorrow, Ms. Graziano would like to issue a deadline for submitting the restoration plan by November 9, 2020. She is also requesting that the area be restored by November 23, 2020. They will wait on the granite bounds until it gets developed.

Discussion 4- Request for Amendment to the Order of Conditions DEP #216-0941 58 Oakland Street proposal to construct a single family home

Mr. Joe Scopa was present for this meeting. Joe stated he is doing a revision to the plan by adding a front farmer's porch and a garage. GLM Engineering called him today and said they added the roof drain system. Ms. Graziano stated this includes the additional square footage with the garage. The garage is seated outside of the 100 foot buffer zone. We asked that everything be tied in together because the infiltration within the buffer zone. Joe stated Joyce said they actually moved the house farther away from the wetlands. Joyce gave Ms. Graziano a new plan dated October 22, 2020. Ms. Graziano asked the Commission to determine if this is a minor or moderate amendment. After a brief discussion, the Commission determined that it is a minor amendment.

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

Mr. Travalini made a motion to issue a minor amendment to the Order of Conditions DEP #216-0941 58 Oakland Street (plans dated October 13, 2020 and revised drainage plan dated October 22, 2020.)

Mr. Blackwell seconded the motion and Ms. Gill and Mr. McKay stated aye they were in favor and it was voted to approve 4-0-0.

Discussion 5 – Iarussi Way encroachments review 4 Iarussi Way- Wahid Bacchas

Ms. Graziano stated Mr. Bacchas removed the fire pit. Ms. Graziano asked what the Commission would like him to put in that area as it is not really a meadow. It is probably part of the field and maintained as low grasses as the area is under a lot of evergreens. Ms. Graziano thinks five native shrubs would be reasonable. Mr. Travalini stated they could plant native trees if they wanted to as well.

Approval of Meeting Minutes 6/11/2020, 7/23/2020, 8/13/2020, 8/27/2020, 09/10/2020, 09/24/2020

No meeting minutes were approved at this meeting.

The Open Meeting was adjourned at 8:50 pm and went into Executive Session.

Respectfully submitted by,

Tracy Rozak

Documents Presented at the October 22, 2020 meeting

All documents shall be kept in the Conservation Commission Office files

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- WPA Form 3
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- Land Disturbance Permit

Public Hearing #4 – (con’t 3/12/2020, 4/9/2020, 4/23/2020, 5/14/2020, 6/11/2020, 6/25/2020, 7/23/2020, 8/13/2020, 8/27/2020, 9/10/2020, 9/24/2020) 165 Main Street Notice of Intent (DEP #216-0956) proposal to construct a 41 space parking lot

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Discussion 2 - Review of land management at Williamsburg Way Conservation Land Vote to transfer and use funds from the Conservation Trust Fund for Land Management

Discussion 3 – Review Enforcement Order for 21 High Street issued June 3, 2019 and discuss issuance of new Amended Enforcement Order

Discussion 4- Request for Amendment to the Order of Conditions DEP #216-0941 58 Oakland Street

Discussion 5 – Iarussi Way encroachments review 4 Iarussi Way- Wahid Bacchas

Approval of Meeting Minutes 6/11/2020, 7/23/2020, 8/13/2020, 8/27/2020, 09/10/2020, 09/24/2020

No meeting minutes were approved at his meeting.