



**MEDWAY CONSERVATION COMMISSION MEETING**  
**45 B Holliston Street –Door #7**  
**Medway Middle School**  
**Medway, MA 02053**  
**7:30 P.M.**  
**AGENDA**  
**December 14, 2017**

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on December 14, 2017 at Medway Middle School. In attendance were members Dayna Gill, David Blackwell, Dave Travalini, Scott Salvucci, Ken McKay, Bridget Graziano, CONCOM Agent and Tracy Rozak, Recording Secretary.

Absent Members: Margery Queenan, Brian Snow

- The meeting was called to order by the Conservation Commission Chairman, Mr. Travalini at 7:36 pm. Mr. Travalini asked the members of the Commission if there were any additional items to be added to the agenda.

*Mr. Travalini requested to add a short discussion about the Route 109 project. Mr. Blackwell seconded and it was voted to approve 5-0-0.*

**Request for Certificate of Compliance**

- **59R Winthrop Street DEP #216-0860 proposal to construct a single family home and garage with well**

Mr. Paul DeSimone (applicant's consultant) and Mr. Paul Zonghi (applicant and property owner) were present for the meeting. Ms. Graziano stated there is an issue because the house is now smaller (in size only) but the deck and patio were constructed closer to the wetland than original approved, as is a portion of the house. It is outside of the approved box for the construction of the home but inside the limit of work. Mr. Graziano stated that the applicant should have applied for an amendment to the Order of Conditions for any amendments during construction prior to applying for a Certificate of Compliance. This is the only outstanding issue with the lot and project construction. Mr. Zonghi stated that the area near the wetland and the 25' No Disturb Zone will not be mowed because it is too steep. Mr. Travalini asked Mr. DeSimone to apply for an amendment if he has any changes on any future projects in town, prior to applying for a Certificate of Compliance.

*Mr. Travalini made a motion to grant a Certificate of Compliance for 59R Winthrop Street DEP #216-0860. Mr. Salvucci seconded and it was voted to approve 6-0-0.*

**Request for Determination of Applicability**

- **129 R Lovering Street** (RDA-17-11) proposal to construct a natural walking trail at the Millstone Community Development

Mr. Steve Veninacasa from Millstone Builders was present for the meeting and explained that one of the conditions upon approval of the age restricted development was to create walking trails and grant open space of 40% to the town. They plan to go in with a small saw to cut down small samplings and make a four foot wide trail to comply with the approved subdivision plan. Mr. Venicasa stated he thought that that his Engineer would be here tonight with hard copies of the plans but she is not. Ms. Graziano stated that his Engineer emailed her and asked for a continuance to the January meeting. Mr. Travalini stated since they don't have any plans here tonight to review so he has to come back for a continuance since there was a miscommunication between Mr. Veninacasa. Ms. Graziano had asked the Engineer pull the trail out of the 25 foot No Disturb Zoneone. Mr. McKay suggested a site walk. A site walk was scheduled for January 4, 2017 at 7:30 am. Mr. Veninacasa asked if the conservation had any recommendations. Mr. Travalini stated he can't make any recommendations without seeing the site plan. Ms. Graziano stated that they should reduce the number of trees they cut down and stay out of the 25 No Disturb Zone whenever possible.

*Per the request of the applicant, Mr. Travalini made a motion to continue 129 R Lovering Street (RDA-17-11) to the January 11, 2018 at 7:45 pm. Mr. Blackwell seconded and it was voted to approve 6-0-0.*

**Public Hearing #1 – (continued from 4/27/17, 7/27/17, 9/28/17) 0 Applegate Road Map 32 Lot 016 Notice of Intent (DEP# 216-0891) for a proposal by Ralph Costello for the completion and maintenance of an existing stormwater management system and roadway**

*Mr. Travalini made a motion to continue 0 Applegate Road Map 32 Lot 016 Notice of Intent (DEP# 216-0891) to the January 11, 2018 meeting at 7:45 pm. Mr. Blackwell seconded. All were in favor.*

**Public Hearing #2 – (continued from 10/12/17, 11/9/17) 0, 1, 2, 3 Glen Brook Way and 33 West Street Notice of Intent Map 65 Lot 25 and 26 and Map 66 Lot 001 and 002 (DEP #216-0911) proposal to construct 6 multi-family residential structures with driveways, children's play area, parking areas, landscaping, storwmater management infrastructure and associated utilities**

Mr. Dana Altobello (applicant's consultant) and Ms. Jennifer Van Campen (applicant and property owner) were present for the meeting. Mr. Altobello stated the proposed area is located on the southwesterly side of West Street about a ½ mile from the intersection of Hartford Ave (Route 126). The wetlands have been delineated and they are proposing the construction of 6 residential buildings with a total of 48 rental units. Tetra Tech has reviewed the plans and no issues were found with regards to the proposed stormwater management system. They have provided an operation and maintenance plan, a long term pollution plan and a Riverfront Alternative Analysis. They will use silt fencing that

was recommended by Ms. Graziano. One item requested was a stockpiling and staging area that is 40 feet by 90 feet wide. The plan also shows the snow storage area for snow events, unless snow total require removal from the site. For larger snow events they will need to truck out the snow. The applicant agreed to by weekly monitoring and to not use pesticides in the jurisdictional areas.

Mr. McKay stated that the amenities list a nature path. He asked if this is something that will connect to adjacent properties. Ms. Van Campen stated that have not decided on that yet. They discussed the back area being pledged as a meadow and maybe do a walking path around it but no decisions have been made. Ms. Van Campen would like to focus on the main items tonight and come back in six months for some of the smaller details and this will be removed from the plan if not proposed

. Ms. Graziano would like them to use disposable mulch socks which may actually cost less than straw bales. She has had really good experience with them and stated that turtles can get stuck in the orange siltation fencing so they are leaning towards using siltation socks instead. Mr. Travalini suggested they could mount the orange fencing a foot or so off the ground to allow the turtles to go under. Ms. Graziano also asked that they do not use any insecticides and pesticides in that area. Ms. Graziano also had a question about the bi weekly reports on page 5, there was some confusion. One sentence refers to the rainfall as half an inch but later refers to significant rainfall as one inch. Ms. Van Campen explained the half inch is for checking and the one inch is for reporting. Mr. Altobello noted that the 4<sup>th</sup> line states weekly reporting but it should state bi-weekly. Mr. Travalini asked him to point out the snow storage area on the plan. Mr. DeSimone pointed them out on the projector screen.

Mr. Travalini asked if anyone had any questions. Mr. Salvucci asked if the manhole to the 2 foot sump is covered in the maintenance plan. Mr. DeSimone stated that yes it is. Mr. Salvucci asked about the flared end section- is there more detail or a stone size. He would like to know the size of the stones. Mr. Altobello will find out. Ms. Graziano asked a question about the long term pollution plan where it states that it will be cleaned 9 times per year. Mr. Antebello stated that is a typo and should state it will be cleaned every 9 years. Ms. Graziano asked about the mowing. Ms. Van Kemp said they haven't decided about mowing as they are considering a meadow or a path. They are not expecting construction to begin until the end of 2019 so there will be time to work out the details. She stated they will ask for an amendment at a later time. Mr. Travalini stated Ms. Graziano will draft the Order of Conditions and send it to them for review.

*Per the request of the applicant, Mr. Travalini made a motion to continue 0, 1, 2, 3 Glen Brook Way and 33 West Street Notice of Intent Map 65 Lot 25 and 26 and Map 66 Lot 001 and 002 (DEP #216-0911) this to the January 11, 2018 7:45 pm. Mr. Blackwell seconded and it was vote to approve 6-0-0.*

**Public Hearing #3 – 7 Holbrook Street Notice of Intent (Map 55 Lot 57) DEP #216-0913 proposal to install a sewer connection and abandon the existing septic system**

Mr. Paul DeSimone and Mr. Rocco Demico were present for the meeting. Mr. DeSimone stated there is currently a failed sewer system on the property. The proposed project is to tie into the existing sewer lines. The existing system will be abandoned and pumped and filled with sand according to Title 5 requirements. They will not use the existing stub and they will tie into the existing lines with a 6 inch pipe in a very narrow trench. Ms. Graziano would like them to use mulch socks instead of the siltation fencing, as this will cause additional damage to jurisdictional areas. Mr. Travalini asked if anyone had any questions. There were none.

***Mr. Travalini made a motion to close the hearing for Notice of Intent 7 Holbrook Street Notice of Intent (Map 55 Lot 57) DEP #216-0913. Ms. Gill seconded and it was voted to close 6-0-0.***

***Mr. Trvalini made a motion to approve the Notice of Intent for Intent for 7 Holbrook Street Notice of Intent (Map 55 Lot 57) DEP #216-0913 and stated the commission hereby finds that the work proposed for installation of a sewer connection and the abandonemnent of the existing septic system was presented at a public hearing where the applicant presented evidence sufficient to demonstrate that the proposed activity, if conditioned properly under this Order, shall have no impact on this wetlands resource and meets the provisions under 310 CMR 10.02 (2)(b) and (3), 310 CMR 10.57 (4) and 310.58 and Medway General Bylaw Article XXI Regulations and the performance standards under Section 3.04 and 5. The Commission voted to waive the 0-25' No Disturb Setback in order to installed the septic which is necessary in order to continue to inhabit the existing residence, as septic systems create more of an environmental impact.. Ms. Gill seconded and it was voted to approve 6-0-0.***

**Public Hearing #4 – (continued from 8/10/17, 8/24/17, 9/28/17, 10/26/17, 11/9/17)  
Abbreviated Notice of Resource Area Delineation 123 Main Street (DEP #216-0910)  
Proposal for the review of wetlands delineation**

Mr. Drew Timmis of Goodard Consulting (applicant's representative) was present and stated the plan has been revised. He stated their original plan showed the western part of the area as an isolated area but it was shown at the site walk there was a discharge so the plan has been updated to show that the area is a bordering vegetated wetland. Ms. Graziano stated she and Mr. Art Allen reviewed and approved the revised plan.

***Mr. Travalini made a motion to close the hearting for Abbreviated Notice of Resource Area Delineation 123 Main Street (DEP #216-0910) Proposal for the review of wetlands delineation. Ms. Gill seconded and it was voted to close 6-0-0.***

***Mr. Travalini made a motion to accept the plans as presented showing the Abbreviated Notice of Resource Area Delineation 123 Main Street (DEP #216-0910). Ms. Gill seconded and it was voted to approve 6-0-0.***

**Public Hearing #5– continued 9/14/17, 10/26/17) Notice of Intent (Timber Crest Estates)  
Fairway Lane, Fern Path, Woodland Road, 102 Winthrop Street, 13 Ohlson Circle, 165**

**Holliston Street Map proposal to construct a subdivision roadway and infrastructures consisting of stormwater management system, and utilities**

*Per the applicant's request, Mr. Travalini made a motion to continue Notice of Intent (Timber Crest Estates) Fairway Lane, Fern Path, Woodland Road, 102 Winthrop Street, 13 Ohlson Circle, 165 Holliston Street Map to the December 12, 2017 meeting at 7:45 pm. Mr. Blackwell seconded and it was voted to continue 6-0-0.*

**Meeting Minutes**

Approval of minutes –10/12/17, 10/26/17, 11/9/17. Ms. Graziano stated she has not reviewed these minutes yet.

**Discussions**

**Discussion #1 – 25 Winthrop Street update on continued enforcement and recent complaints**

Ms. Graziano stated she has been working with the Board of Health on this and they did a site visit 30 days ago and have another one scheduled but they received a complaint about extended work hours and an odorous smell. Mr. Travalini stated this is an issue for the Board of Health not the Conservation Committee.

**Discussion #2 – Sorrento Lane 3 lot subdivision restoration plan for review**

Ms. Graziano stated they submitted a tree planting plan that shows they propose planting 5 red oak trees, 3 inches in diameter to replace the 5 trees they cut down.

**Discussion #3 – Request to expend funds from the WPA account for Arc GIS**

Ms. Graziano asked if they should use the money from the Wetlands Protection Act or the Conservation Trust Fund. Mr. Travalini stated they can use the funds from the Wetland Protection Act.

**Discussion #4 – Executive Session - to discuss litigation strategy where an open meeting may have a detrimental effect on the litigating position of the town and the chair so declares (1 Gray Squirrel Circle) pursuant to G.L. c. 30A, §21(a) (3)**

*Mr. Travalini asked each member of the commission to vote through a roll call for their vote to decide if they want to go into Executive Session and not return to public meetings regarding 1 Gray Squirrel Circle. Mr. Travalini moved to enter into Executive Session and not return to open meeting for purposes for discussing litigation strategy where an open meeting may have a detrimental effect on the litigating position of the town and the chair so declares (1 Gray Squirrel Circle) pursuant to G.L. c. 30A, §21(a) (3) Ms. Gill voted yes, Mr. Blackwell voted yes, Mr. Salvucci voted yes, Mr. Travalini voted yes, and Mr. McKay voted yes and it was vote to go into executive session and not return into open meeting 6-0-0.*

### **Agent Report**

- **6 Pine Meadow Road deviation to plans**

Ms. Graziano reported that 6 Pine Road had a very minor deviation and the change was so minor that she did not ask them to come before the commission. Mr. Travalini stated that he was fine with that.

### **Chair Report**

- **Route 109 project**

Mr. Travalini stated he noticed there was a lot of equipment parked near the road. Ms. Graziano stated they are working on that area now. Mr. Travalini stated that may be but they cannot store their equipment there. Ms. Graziano stated they have no other place to store the equipment and stated that December 15, 2017 is supposed to be their last day of operations. Mr. Travalini stated they should be notified that they should not be staging equipment there in the spring when they start up their work again. Ms. Graziano stated she will write a letter to the superintendent.

### ***Within executive session***

***Mr. Travalini made a motion to adjourn and exit the Executive Session at 9:36 pm. Ms. Gill seconded and it was voted to adjourn 6-0-0.***

## **Documents Presented at the December 14, 2017 Public Meeting**

All documents shall be kept in the Conservation Commission Office files

### **Request for Certificate of Compliance**

- **59R Winthrop Street** DEP #216-0860 proposal to construct a single family home and garage with well
  - WPA Form 8A
  - AP Summary Conservation Agent
  - Plan titled, “Conservation AS-Built Plan, Plan of Land in Medway, MA” by Colonial Engineering, dated 11-21-17

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

- **129 R Lovering Street** (RDA-17-11) proposal to construct a natural walking trail at the Millstone Community Development
  - no materials presented as the applicant representative requested a continuance and the materials were not made available at the meeting

**Public Hearing #1 – (continued from 4/27/17, 7/27/17, 9/28/17) 0 Applegate Road Map 32 Lot 016 Notice of Intent (DEP# 216-0891)** for a proposal by Ralph Costello for the completion and maintenance of an existing stormwater management system and roadway

- Nothing presented hearing continued

**Public Hearing #2 – (continued from 10/12/17, 11/9/17) 0, 1, 2, 3 Glen Brook Way and 33 West Street Notice of Intent Map 65 Lot 25 and 26 and Map 66 Lot 001 and 002 (DEP #216-0911)** proposal to construct 6 multi-family residential structures with driveways, children’s play area, parking areas, landscaping, stormwater management infrastructure and associated utilities

- **WPA Form 3**
- **Plans titled**, “Glen Brook Way” by Merrill Engineering, by Metro West Collaborative dated April 24, 2017
- **Plan Sheet**, C301 dated June 30, 2017
- **Document titled**, “Stormwater Management Report” by Merrill Engineers and Land Surveyors, dated June 26, 2017

**Public Hearing #3 – 7 Holbrook Street Notice of Intent (Map 55 Lot 57) DEP #216-0913** proposal to install a sewer connection and abandon the existing septic system

- **WPA Form 3**
- **Plans titled**, “Proposed Sewer Connection Plan of Land in Medway, MA” by Colonial Engineering, dated November 20, 2017
- **Wetlands Report** by Ivan Szilassy, dated November 2, 2017

**Public Hearing #4 – (continued from 8/10/17, 8/24/17, 9/28/17, 10/26/17, 11/9/17) Abbreviated Notice of Resource Area Delineation 123 Main Street (DEP #216-0910)**  
Proposal for the review of wetlands delineation

- Form 4A Abbreviated Notice of Resource Area Delineation
- Plans titled, “ Main & Elm Street ORAD Modification Plan of Land in Medway, MA” by Merrikin Engineering, dated September 3, 2015

**Public Hearing #5– continued 9/14/17, 10/26/17) Notice of Intent (Timber Crest Estates) Fairway Lane, Fern Path, Woodland Road, 102 Winthrop Street, 13 Ohlson Circle, 165 Holliston Street Map** proposal to construct a subdivision roadway and infrastructures consisting of stormwater management system, and utilities

- Nothing presented hearing continued