

Commission Members
David Travalini, Chair
Dayna Gill, Vice Chair
Ken McKay
David Blackwell
Michael Narducci
Sean Green
James Dacier



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TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

CONSERVATION COMMISSION

Meeting Minutes
Thursday, December 14, 2023 – Virtual Meeting
Times are estimates only. Items may be taken out of order.
7:30 p.m.

Call to Order

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

Commissioners Absent:

Conservation Agent Present: Bridget Graziano

Community Members Present: Mitch Maslanka, Mounir Tayara, Sean Matthews, Greg Rucki, Peter Backhaus, David Therrian, Chad Beauregard

Call to Order: At 7:36 p.m., Mr. Travalini called the meeting to order. He confirmed the virtual presence of the following individuals: Blackwell: here, Dacier: here, Gill: here, McKay: here, Narducci: here, Green: here and Travalini: here.

Announcement: *This meeting is being broadcast and recorded by Medway Cable Access.*

Pursuant to the provisions of Chapter 2 of the Acts of 2023, under which public bodies retain the option of holding open meetings and hearings remotely until March 31, 2025, and in accordance with the Medway Select Board's remote participation policy as amended at its July 2, 2021, meeting, Conservation Commission members will be participating remotely.

7:40 PM Review Agenda

There were no topics that were not already anticipated by the chair.

Request for Determination of Applicability

- **15 Dean Street RDA-23-18** – proposal to construct a deck and patio (after-the-fact permit) and removal of trampoline from the 0-25' buffer zone

Sean Matthews was present to address this matter. Ms. Graziano shared the site plans on screen. The Conservation Agent noted she completed a site visit to determine wetlands were present and noted a buffer zone cleanup was done. Ms. Graziano shared that the applicants

installed a granite marker and the required plantings.

VOTE: Mr. Travalini offered a motion per the recommendation of the Conservation Agent to issue a Positive 2B, Positive 5, Negative 3 for 15 Dean Street RDA-23-18 with the following conditions as outlined as Ms. Graziano. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **33 Broken Tree Road RDA-23-20** – Proposal to install a replacement septic system and remove the existing leaching field

David Therrian was present to address this matter. The Conservation Agent noted the proposed septic system is over 50 feet from the wetlands and set in an appropriate location based on the site visit.

VOTE: Mr. Travalini offered a motion per the recommendation of the Conservation Agent to issue a Positive 2A, Positive 5, Negative 3 for the RDA-23-20 33 Broken Tree Road with the following conditions as outlined by Ms. Graziano. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **7 Wildebrook Road RDA-23-29** – Proposal to construct a garage and remove trees from the 50'-100' buffer zone.

Ms. Graziano shared the site plans on screen and discussed the tree removal, proposed mitigation, and erosion control for the proposed garage. Ms. Graziano shared pictures of the site and existing shed.

VOTE: Mr. Travalini offered a motion to issue a Positive 2B, Positive 5 and Negative 3 for RDA-23-29 7 Wildebrook Road with the following conditions as outlined by Ms. Graziano. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

Request for Certificate of Compliance

- **274 Village Street DEP #216-0940** – proposed construction of multi-family condo development with roadway and stormwater management utilities.

Greg Rucki was present to address this matter. The Conversation Agent shared there are no outstanding issues.

VOTE: Mr. Travalini offered a motion per the recommendation of the Conservation Agent to issue a Certificate of Compliance for 274 Village Street DEP #216-0940 with the following conditions 49, 51, 52, 53, 82-89, 90-96 to remain in perpetuity. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **39 Main Street (DEP #216-0939)** – proposal to construct a apartment building, stormwater management system, parking lot, landscaping

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue the Request for

Certificate of Compliance for 39 Main Street to the January 11, 2024 meeting at 7:30 PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **4 Industrial Park Road (DEP #216-1013)** – after-the-fact permit for hazardous spill clean up

Peter Backhaus was present to address this matter. The Conservation Agent noted there are no conditions in perpetuity.

VOTE: Mr. Travalini offered a motion per the recommendation of the Conservation Agent to issue a Certificate of Compliance for 4 Industrial Park Road DEP #216-1013. Ms. Gill seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **24 Puddingstone Lane (DEP #216-0909)** – proposal to install an in-ground pool with associated patio and pool house.

Chad Beauregard was present to address this matter. The Conversation Agent shared she completed a site visit and noted plantings were incomplete. The Conservation Agent noted the site area was reestablished to the 25-foot line.

VOTE: Mr. Travalini offered a motion per the recommendation of the Conservation Agent to issue a Certificate of Compliance for 24 Puddingstone Lane DEP #216-0909 with the conditions 11 and 13 remaining in perpetuity. Ms. Gill seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

Discussions

Discussion #1 – Review and Vote on the Stormwater Regulations for Article 26

VOTE: Mr. Travalini offered a motion to vote to accept the Stormwater Regulations for Article 26. Ms. Gill seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

Discussion #2 – Vote to approve \$3,000 for Conservation Intern from December 14, 2023 through January 12, 2024 and \$116. 85 funding from the Wetlands Protection Act Fund per Ch 131 s. 40

VOTE: Mr. Travalini offered a motion to approve \$3,000 for the Conservation Intern from December 14, 2023 through January 12, 2024 and \$116.85 funding from the Wetlands Protection Act. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

Discussion #3 – Vote to issue/ratify amended Enforcement Order for 91 Fisher Street

Mitch Maslanka was present to address this matter. The Conservation Agent shared this is an existing enforcement order that was amended December 12, 2023 with a new deadline of January 28, 2024.

VOTE: Mr. Travalini offered a motion to issue and ratify the amended Enforcement Order for 91 Fisher Street dated December 12, 2023. Mr. Blackwell seconded this

motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

7:45 PM Public Hearings

- **Public Hearing #1 – 56 Summer Street (DEP #216-1033) Notice of Intent** proposal to construct a 6 two-family unit and a 4-unit apartment building development with roadway, stormwater management system

No one was present to address this matter.

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue 56 Summer Street DEP #216-1033 to the January 11, 2024 meeting at 7:45PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **Public Hearing #2 – 39 Alder Street (DEP #216-1036) Notice of Intent and Land Disturbance Permit** – proposal to construct a metal commercial building with associated paved parking area, paved outdoor equipment storage, fueling station, and utilities.

No one was present to address this matter.

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue 39 Alder Street DEP #216-1036 to the January 28, 2024 meeting at 7:45PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **Public Hearing #3 – 15 Sycamore Way (DEP #216-10XX) Notice of Intent** – proposal to construct a single-family home with associated driveway, utilities, stormwater management system and landscaping

Mounir Tayara was present to address this matter. The Conservation Agent shared the site plans on screen and noted that all abutters were notified. Mr. Tayara discussed the site overview and bounds. The Conservation Agent shared there is a vernal pool close to the property and the Commission discussed plantings.

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue Public Hearing #3 15 Sycamore Way to the January 11, 2024 meeting at 7:45 PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **Public Hearing # 4 – 17 Sycamore Way (DEP #216-10XX) Notice of Intent** – proposal to construct a single-family home with associated driveway, utilities, stormwater management system and landscaping

Mounir Tayara was present to address this matter. Mr. Tayara shared the site plans on screen and discussed the proposed house and erosion control. The Conservation Agent discussed adding a sign for the vernal pool and plantings in the 25-foot area.

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue Public Hearing #4 17 Sycamore Way to the January 11, 2024 meeting at 7:45 PM. Mr. Blackwell seconded this

motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **Public Hearing #5 – 18 Sycamore Way (DEP #216-10XX) Notice of Intent** – proposal to construct a single family home with associated driveway, utilities, stormwater management system and landscaping

Mounir Tayara was present to address this matter. Mr. Tayara shared the site plans on screen and noted the proposed bounds and erosion control. The Conservation Agent recommended blueberry plantings.

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue Public Hearing #5 18 Sycamore Way to the January 11, 2024 meeting at 7:45 PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **Public Hearing # 6 - 19 Sycamore Way (DEP #216-10XX) Notice of Intent** – proposal to construct a single-family home with associated driveway, utilities, stormwater management system and landscaping

Mounir Tayara was present to address this matter. Mr. Tayara shared the site plans on screen and noted the proposed retaining wall and wetland system. The Conservation Agent noted the bound locations were changed and the Commission recommended a sign for no dumping.

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue Public Hearing #6 19 Sycamore Way to the January 11, 2024 meeting at 7:45 PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **Public Hearing # 7- 20 Sycamore Way (DEP #216-10XX) Notice of Intent** – proposal to construct a single-family home with associated driveway, utilities, stormwater management system and landscaping

Mounir Tayara was present to address this matter. Mr. Tayara shared the site plans on screen and noted the proposed bounds and roof drain.

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue Public Hearing #7 20 Sycamore Way to the January 11, 2024 meeting at 7:45 PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **Public Hearing # 8– 21 Sycamore Way (DEP #216-10XX) Notice of Intent** – proposal to construct a single-family home with associated driveway, utilities, stormwater management system and landscaping

Mounir Tayara was present to address this matter. Mr. Tayara shared the site plans on screen and noted the proposed erosion control, bounds and drainage basin. The Conservation Agent noted changes to the bounds.

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue Public Hearing #8 21 Sycamore Way to the January 11, 2024 meeting at 7:45 PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **Public Hearing # 9 - 22 Sycamore Way (DEP #216-10XX) Notice of Intent** – proposal to construct a single-family home with associated driveway, utilities, stormwater management system and landscaping

Mounir Tayara was present to address this matter. Mr. Tayara shared the site plans on screen and noted the proposed bounds and roof drain area. The Conservation Agent noted a change to the bounds.

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue Public Hearing #9 22 Sycamore Way to the January 11, 2024 meeting at 7:45 PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

- **Public Hearing #10 – 23 Sycamore Way (DEP #216-10XX) Notice of Intent** – proposal to construct a single-family home with associated driveway, utilities, stormwater management system and landscaping

Mounir Tayara was present to address this matter. Mr. Tayara shared the site plans on screen and noted there are no bounds because the property is far from the wetlands.

VOTE: Mr. Travalini offered a motion per the request of the applicant to continue Public Hearing #10 23 Sycamore Way to the January 11, 2024 meeting at 7:45 PM. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

Meeting Minutes

Approval of Minutes 10/13/22, 8/17/23, 8/24/23

VOTE: Ms. Gill offered a motion to approve the meeting minutes for 8/17/23, 10/12/23, 10/26/23 and 11/8/23. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

Agent Report

This item was not addressed at this meeting.

Chair Report

This item was not addressed at this meeting.

Motion to adjourn: At 9:59 p.m. Mr. Travalini motioned to adjourn. Mr. Blackwell seconded this motion, which passed unanimously. Blackwell: aye, Dacier: aye, Gill: aye, McKay: aye, Narducci: aye, Green: aye and Travalini: aye. VOTE 7-0.

Next Scheduled Public Meeting: January 11, 2024, at 7:30 PM *Virtually

Document Presented at the December 14, 2023, meeting:

All documents shall be kept in the Conservation Commission Office files.

Request for Determination of Applicability

15 Dean Street:

- WPA Form 1
- Plans titled, “As Built Plans 15 Dean Street Medway, MA” by Dan O’Driscoll, dated August 31, 2023

33 Broken Tree Road:

- WPA Form 1
- Plans titled, “Septic System Design Plan in Medway, MA” by Borderland Engineering, Inc. dated November 22, 2023

7 Wildebrook Road:

- WPA Form 1
- Plans titled, “Proposed Garage Plan of Land in Medway, MA” by Colonial Engineering, dated November 18, 2023, revised November 30, 2023

Request for Certificate of Compliance

274 Village Street:

- WPA Form 8A
- Plans titled, “William Wallace Progress As-built Plan of Land” by Legacy Engineering

39 Main Street:

- WPA Form 8 A
- Plans titled, “As Built by Allen & Major Associates, Inc, dated June 8, 2023
- Letter titled, “A&M #1843-04 39 Main Street” by

4 Industrial Park Road:

- WPA Form 8A
- Plans titled, “Restoration Plan MODF Release 4 Industrial Park Road, by Tighe & Bond, date November 17, 2023

24 Puddingstone Lane:

- WPA Form 8A
- Plans titled, “Final Grading Plan 24 Puddingstone Lane, Medway, MA” by GLM Engineering, dated November 20, 2023

Public Hearings

56 Summer Street:

- WPA Form 3 Notice of Intent with project description by RMG Environmental, received June 26, 2023
- Stormwater Management Analysis, by RMG Environmental, received May 25, 2023
- Operations and Maintenance Plan during Construction, by RMG Environmental, received June 5, 2023
- Land Disturbance Application received June 26, 2023
- Plans titled, “Mockingbird Land 56 Summer Street, Medway, MA”, by RMG Environmental, received May 25, 2023

39 Alder Street:

- WPA Form 3 submitted on May 2, 2023
- Plans titled, “ETS Properties LLC 39 Alder Street Medway, MA” Sheets EX-1, C1-4.1 by CMG and O’Driscoll Land Surveying, Inc., dated April 12, 2023
- Stormwater Report by CMG, dated April 12, 2023
- Land Disturbance Permit Application dated April 24, 2023

15 Sycamore Way:

- WPA Form 3

- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0030, #15 Sycamore Way at Timber Crest States in Medway, MA” by Outback Engineering, dated October 11, 2023
- Groundwater Mounding Analysis. Lot 42 Roof Drain – Timber Crest, Outback Engineering Inc. October 6, 2023

17 Sycamore Way:

- WPA form 3
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0031, #17 Sycamore Way at Timber Crest States in Medway, MA” by Outback Engineering, dated October 11, 2023
- Groundwater Mounding Analysis. Lot 41 Roof Drain – Timber Crest, Outback Engineering Inc. October 6, 2023

18 Sycamore Way:

- WPA form 3
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0037, #18 Sycamore Way at Timber Crest States in Medway, MA” by Outback Engineering, dated November 2, 2023
- Groundwater Mounding Analysis. Lot 35 Roof Drain – Timber Crest, Outback Engineering Inc. October 6, 2023

19 Sycamore Way:

- WPA form 3
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0032, #19 Sycamore Way at Timber Crest States in Medway, MA” by Outback Engineering, dated November 2, 2023
- Groundwater Mounding Analysis. Lot 40 Roof Drain – Timber Crest, Outback Engineering Inc. October 19, 2023

20 Sycamore Way:

- WPA form 3
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0036, #20 Sycamore Way at Timber Crest States in Medway, MA” by Outback Engineering, dated November 2, 2023
- Groundwater Mounding Analysis. Lot 36 Roof Drain – Timber Crest, Outback Engineering Inc. October 19, 2023

21 Sycamore Way:

- WPA form 3
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0033, #21 Sycamore Way at Timber Crest States in Medway, MA” by Outback Engineering, dated November 2, 2023
- Groundwater Mounding Analysis. Lot 39 Roof Drain – Timber Crest, Outback Engineering Inc. October 19, 2023

22 Sycamore Way:

- WPA form 3
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0035, #22 Sycamore Way at Timber Crest States in Medway, MA” by Outback Engineering, dated November 2
- Groundwater Mounding Analysis. Lot 37 Roof Drain – Timber Crest, Outback Engineering Inc. November 2, 2023

23 Sycamore Way:

- WPA form 3
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0030, #15 Sycamore Way at Timber Crest States in Medway, MA” by Outback Engineering, dated October 11, 2023
- Groundwater Mounding Analysis. Lot 42 Roof Drain – Timber Crest, Outback Engineering Inc. October 6, 2023