

Commission Members  
David Travalini, Chair  
Ken McKay  
David Blackwell  
Dayna Gill  
Tara Kripowicz  
Michael Narducci



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# TOWN OF MEDWAY

## COMMONWEALTH OF MASSACHUSETTS

### CONSERVATION COMMISSION

**Meeting Minutes**  
**Thursday, March 24, 2022 – Virtual Meeting**  
**Times are estimates only. Items may be taken out of order**  
**7:30 p.m.**  
Call to order at 7:36 p.m.

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

*Pursuant to the Massachusetts Legislature's June 16, 2021, enactment of Chapter 20 of the Acts of 2021, an act extending certain Covid-19 measures adopted during the State of Emergency, under which public bodies retain the option of holding open meetings and hearings remotely until April 1, 2022, and in accordance with the Medway Select Board's remote participation policy as amended at their July 2, 2021 meeting, Conservation Commission members will be participating remotely. Access via Zoom is provided for public participation for those portions of the meeting open to the public. Information for participating via Zoom is posted at the end of this Agenda.*

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

**Commissioners Present:** David Travalini, Dayna Gill, Tara Kripowicz, Michael Narducci, Ken McKay (joined at 8:55 p.m.)

**Commissioners Absent:** David Blackwell, Ken McKay

**Also present:** Bridget Graziano, Conservation Agent

#### **Review Agenda – Add topics not reasonably anticipated by the Chair 48-hours in advance:**

#### **313 R Village Street – Approving Funds for Survey of Conservation Land**

Motion to include discussion of 313 R Village Street as a discussion item made by David Travalini, seconded by Dayna Gill, passed 4-0-0.

Gill: Aye

Kripowicz: Aye

Narducci: Aye

Travalini: Aye

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

- **1 Timber Crest Drive (DEP #216-0972)** – Proposed construction of single-family home, associated utilities, stormwater management system  
Mounir Tayara was present to discuss the request – they are only requesting a partial Certificate of Compliance because the grass has not been established yet, all other pieces of the project are complete. Ms. Graziano stated everything is complete besides the grass and recommends a partial

Certificate of Compliance and to release conditions numbers 4, 5, 10, 12, 17, 18, 25-29, 45, with on going condition 12.

Motion to issue a partial Certificate of Compliance for 1 Timber Crest Drive and release conditions number 4, 5, 10, 12, 17, 18, 25-29, 45 and on-going condition 12 made by David Travalini, seconded by Dayna Gill, passed 4-0-0.

Gill: Aye

Kripowicz: Aye

Narducci: Aye

Travalini: Aye

- **149 Holliston Street (dep #216-0969)** – Proposed construction of a new deck and addition to an existing dwelling within the 25’-100’ buffer zone to Bordering Vegetated Wetland. Carrie Tovar was present to discuss the request. Ms. Graziano explained she visited the property and that it is in the 100’ vernal pool no-touch, which requires a waiver under the bylaw. Ms. Graziano stated everything complies and there was no impact to the vernal pool. Ms. Graziano recommends issuing a full Certificate of Compliance with ongoing conditions 14, 16, and 17. Motion to issue a Certificate of Compliance for 149 Holliston Street with conditions 14, 16, and 17 remaining in perpetuity made by David Travalini, seconded by Dayna Gill, passed 4-0-0.

Gill: Aye

Kripowicz: Aye

Narducci: Aye

Travalini: Aye

- **54 Milford Street (DEP #216-0964)** – Proposed construction of a new deck and addition to an existing dwelling within the 25’-100’ buffer zone to Bordering Vegetated Wetland. Ms. Graziano stated the owner is not able to attend the meeting, but they are in full compliance with the order except for one condition: they planted 4 native plantings that did not make it, so the owner will be replanting them. The owner agreed to continue to the next public hearing date. Mr. Narducci stated that the hearing should not be continued if the owner is trusted to replant. Ms. Gill and Ms. Kripowicz stated they think it should be continued to the next meeting, as to not set a precedent. Motion to continue the request for Certificate of Compliance for 54 Milford Street to April 14, 2022, at 7:30 p.m., seconded by Dayna Gill, passed 3-1-0.

Gill: Aye

Kripowicz: Aye

Narducci: No

Travalini: Aye

### **Public Hearings:**

**Public Hearing #1 – 69 Summer Street (DEP #216-0996) Notice of Intent** – proposal to construct a subdivision road and stormwater management system for a 3-lot subdivision and Land Disturbance Permit Application for disturbance exceeding 20,000 sq. ft. for the proposed work.

- Notice of Intent
- Plans titled, “Definitive Subdivision Plan – Boundary Lane – Medway, MA” by Connorstone Engineering, Inc. dated August 20, 2021.

Linda and Zach Lindsey were present to discuss the application. Ms. Graziano stated at the last meeting the Commission reviewed the final revisions that were accepted by herself and Tetra Tech, and she drafted an Order of Conditions with changes that Gerry Lindsey had mentioned. Zach and Linda Lindsey stated they agree with the Order.

Motion to close the public hearing for 69 Summer Street made by David Travalini, seconded by Dayna Gill, passed 4-0-0.

Gill: Aye  
Kripowicz: Aye  
Narducci: Aye  
Travalini: Aye

Ms. Graziano reviewed the findings for the Order of Conditions.

Motion to issue the Order of Conditions for 69 Summer Street made by David Travalini, seconded by Dayna Gill, passed 4-0-0.

Gill: Aye  
Kripowicz: Aye  
Narducci: Aye  
Travalini: Aye

**Public Hearing #2 – Request for Amendment to Order of Conditions DEP #216-0971 for 34 West Street Eversource/National Grid**

- Letter requesting the amendment titled “Request for Amend Order of conditions DEP file #216-0971 Line 201-502 Station 65 34 West Street, Medway MA” by Tighe and Bond, dated March 14, 2022.
- Plans titled “Line 201-502 Loop Station 65 34 West Street, Medway MA” by Tighe and Bond, dated March 14, 2022

Amanda Houle with Tighe and Bond was present to discuss the application. Ms. Houle stated they appeared before the Commission at the last meeting on March 10<sup>th</sup> and based on the Commission’s recommendations they are requesting an amendment to the Order of Conditions. The plan shows the three poles for the structure that fall entirely within the 25’ buffer. They are proposing 1:1 mitigation for buffer restoration. Ms. Houle stated they have enlarged the back corner of the timber pad because they will be bridging over a corner of the wetland, which is a standard practice, since the crane to construct the poles will likely need to be placed in that corner. Ms. Graziano stated she drafted new conditions for the Order of Conditions based on conversations with Ms. Houle. Mr. Travalini asked how long they anticipate the structure to be on top of the wetland, Mohamad Passabehji, Project Manager with Eversource, stated the maximum time would be 2-3 months. Ms. Graziano stated there would be a review of the wetland after the project, and there is a condition in the order that states if there is damage to the wetland it will be addressed. Mr. Travalini recommends continuing the hearing to the next meeting so Ms. Graziano can send the newly drafted conditions to the applicant. Mr. Passabehji stated they are fine with the conditions and will be able to work with the Commission, so they would like to close the hearing now to meet deadlines they have with the project. Ms. Graziano reviewed some of the conditions.

Motion to close the public hearing for 34 West Street Eversource/National Grid made by David Travalini, seconded by Dayna Gill, passed 4-0-0.

Gill: Aye  
Kripowicz: Aye  
Narducci: Aye  
Travalini: Aye

Motion to issue the amendment to the Order of Conditions for 34 West Street Eversource/National Grid made by David Travalini, seconded by Dayna Gill. Ms. Graziano read through the findings. Passed 4-0-0.

Gill: Aye  
Kripowicz: Aye  
Narducci: Aye  
Travalini: Aye

**Public Hearing #3 – 125 Summer Street (DEP #216-09xx) – Notice of Intent** – proposal for the construction of a swimming pool within the 100-foot wetland buffer zone.

- WPA Form 3 - Notice of Intent
- DEP Bordering Vegetated Wetland (310 CMR 10.55)
- Plan titled “Plan to Accompany Notice of Intent” by O’Driscoll Land Surveying Inc., dated February 25, 2022.

Dan O’Driscoll from O’Driscoll Land Surveying and Robert Shaw, the owner, were present to discuss the application. Mr. O’Driscoll stated the applicant would like to build a pool in the backyard but there are wetlands and a well present. The plan being viewed at the meeting is revised based on Ms. Graziano’s comments. After speaking with the Building Department and Board of Health, the pool will be 33’ away from the wetlands, at least 10’ from the well, and 5’ from the garage. Ms. Graziano asked if there was a location for the filter to drain, Mr. Shaw noted it could go where the stockpile is, or do a gravel drain pit next to the driveway. Mr. Shaw stated the fencing would not be for the pool but is for their dogs, it would be vinyl fencing and chain link fencing. Mr. Travalini asked if the tree line is accurately represented in the plan and if any trees are going to be cut down, Mr. Shaw stated the only tree that would be considered cut is one right behind the well, but none of the other trees would go down. Mr. Travalini noted the tree that Mr. Shaw is talking about is within the Commission’s jurisdiction, and that the tree would have to be replicated in the 25’ buffer zone. Mr. Travalini stated this cannot be voted on tonight because there is no DEP number.

Motion to continue the public hearing for 125 Summer Street Notice of Intent to April 14, 2022, at 7:45 p.m. made by David Travalini, seconded by Dayna Gill, passed 4-0-0.

Gill: Aye

Kripowicz: Aye

Narducci: Aye

Travalini: Aye

**Public Hearing #4 – 26 Evergreen Street (DEP 216-0997) Notice of Intent** – proposal to construct a concrete gaming court area within the buffer zone.

- WPA Form 3 - Notice of Intent
- Plans titled “Plot Plan of Land Medway, MA” by David Terenzoni, dated January 13, 2022.

Tim McGuire with Goddard Consulting was present to discuss the application. He showed the revised plan which included adjusted planting plans. Ms. Graziano asked how the trees would be removed and what equipment would be used. Mr. McGuire stated a small excavator would be used to remove the tree.

Motion to continue the public hearing for 26 Evergreen Street Notice of Intent to the April 14, 2022, meeting at 7:45 p.m. made by David Travalini, seconded by Dayna Gill, passed 4-0-0.

Gill: Aye

Kripowicz: Aye

Narducci: Aye

Travalini: Aye

**Public Hearing #5 – 56 Summer Street (DEP #216-09xx) Abbreviated Notice of Resource Area Delineation** – proposal for the review of the wetland resource delineation for a Bordering Vegetated Wetland

- WPA 4A Abbreviated Notice of Resource Area Delineation
- Plans titled, “Existing Conditions Plan of Land 56 Summer Street Medway, MA” by Continental Land Survey

- Document titled, “Environmental Narrative Mockingbird Lane Medway, MA” by Robert G. Murphy & Associates, dated February 15, 2022.

Motion to continue the public hearing for 56 Summer Street ANRAD to April 14, 2022, at 7:45 p.m. made by David Travalini, seconded by Dayna Gill, passed 4-0-0.

Gill: Aye

Kripowicz: Aye

Narducci: Aye

Travalini: Aye

**Public Hearing #6 – 4 Industrial Park Road (DEP #216-09xx) – Notice of Intent** – authorization for activities associated with the restoration of an Inland Bank, Riverfront area, 100-foot buffer zone to Inland Bank and Bordering Land Subject of Flooding

- WPA Form 3 – Notice of Intent
- Plan titled, “Project Description – Restoration Plan” by Tighe & Bond, dated February 24, 2022
- WPA Emergency Certification Form
- Material Safety Data Sheet

Kate Wilkins from Tighe and Bond was present to discuss the application. Ms. Wilkins explained there was a transformer that was knocked down by a tree which required clean up of material that was spilled adjacent to and in the river – samples confirm that the site is cleaned up and there are no traceable materials left in the area. They are looking for an order of conditions for the remediations. Ms. Graziano will draft an order of conditions for this NOI to be voted on at the next meeting.

Motion to continue the public hearing for 4 Industrial Park Road NOI to April 14, 2022 at 7:45 p.m. made by David Travalini, seconded by Dayna Gill, passed 5-0-0.

Gill: Aye

Kripowicz: Aye

McKay: Aye

Narducci: Aye

Travalini: Aye

**Public Hearing #7 – (con’t 5/27/21, 6/10/21, 6/24/21, 7/12/21, 7/29/21, 9/9/21, 9/23/21, 10/12/21, 10/28/21, 11/9/21, 12/9/21) 6 Industrial Park Road (DEP #216-0986) Notice of Intent and Land Disturbance Permit** – proposal to install a stormwater management system for a proposed addition (approx. 33,000 sq. ft.) to the existing commercial building.

- WPA Form 3 – Notice of Intent 6 Industrial Park Road Medway, MA dated April 26, 2021 by William & Sparages, LLC
- Plans titled “Industrial Park Road 6 Industrial Park Road, Medway, MA” dated April 1, 2021 by William & Sparages, LLC

Motion to continue the public hearing for 6 Industrial Park Road NOI and Land Disturbance Permit to April 14, 2022 at 7:45 p.m. made by David Travalini, seconded by Dayna Gill, passed 5-0-0.

Gill: Aye

Kripowicz: Aye

McKay: Aye

Narducci: Aye

Travalini: Aye

**Public Hearing #8 – 8 Sycamore Way (DEP #216-09XX) Notice of Intent** – proposal to construct a single-family house within the 100-foot Buffer Zone to Bordering Vegetated Wetlands

- WPA Form 3 – Notice of Intent
- WPA Form 4B – Orders of Resource Area Delineation – DEP #216-821, #216-841, #216-859, #216-878
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0019” by Outback Engineering Inc, dated December 28, 2021

The Board discussed whether Ms. Graziano would be able to draft orders by April 7<sup>th</sup>, if they are generally simple applications. Mounir Tayara, applicant, agreed that he would be able to attend a meeting on April 7<sup>th</sup> to close out some of the Timber Crest applications. Mitch Maslanka with Goddard Consulting was also present to discuss the Timber Crest applications. Mr. Tayara explained the application, stating there is a generic box that represents the total square footage of disturbance on the property, and if a potential buyer has specific requests, the work cannot exceed the square footage of set box without applying for their own permit. Ms. Graziano stated Tetra Tech has to review this application before it can be approved. Ms. Graziano will draft an order for the application to be reviewed at the meeting for April 7<sup>th</sup>.

Motion to continue the public hearing for 8 Sycamore Way NOI to April 7<sup>th</sup>, 2022, at 7:30 p.m. made by David Travalini, seconded by Dayna Gill, passed 5-0-0.

Gill: Aye

Kripowicz: Aye

McKay: Aye

Narducci: Aye

Travalini: Aye

**Public Hearing #9 – 38 Timber Crest Drive (DEP #216-09XX) Notice of Intent** – proposal to construct a single-family house within the 100-foot Buffer Zone to Bordering Vegetated Wetlands

- WPA Form 3 – Notice of Intent
- WPA Form 4B – Orders of Resource Area Delineation – DEP #216-821, #216-841, #216-859, #216-878
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0050” by Outback Engineering Inc, dated December 28, 2021

Mounir Tayara, applicant, explained that for this lot they are proposing a specific model as per a previous agreement on the previous notice of intent – every time there is grading up to the 15’ buffer zone, or outside the 25’ buffer zone, a certain model is presented so everything is very clear. Ms. Graziano stated there are two red oak trees to be saved on this lot and asked if there could be a retaining wall at the 25’ buffer line. Mr. Tayara explained this would be difficult because of the roof drain – they performed test pits on the lot and established the location of the water table. Mr. Narducci asked if a drain could be put on each of the four corners of the lot, to make room for a retaining wall at the 25’. Mr. Tayara explained the utilities would be in the front area, and there is not much frontage on this lot. Mr. Tayara said he would check with his engineer and Tetra Tech.

Motion to continue the public hearing for 38 Timber Crest Drive NOI to April 14<sup>th</sup>, 2022, at 7:45p.m. made by David Travalini, seconded by Dayna Gill, passed 5-0-0.

Gill: Aye

Kripowicz: Aye

McKay: Aye

Narducci: Aye

Travalini: Aye

**Public Hearing #10 – 40 Timber Crest Drive (DEP #216-09XX) Notice of Intent** – proposal to construct a single-family house within the 100-foot Buffer Zone to Bordering Vegetated Wetlands

- WPA Form 3 – Notice of Intent
- WPA Form 4B – Orders of Resource Area Delineation – DEP #216-821, #216-841, #216-859, #216-878
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0049” by Outback Engineering Inc, dated December 28, 2021

Mounir Tayara, applicant, stated this lot has the same scenario as 38 Timber Crest Drive, where they have to grade up to the 15’ in some areas. Ms. Graziano stated the erosion controls of this lot need to be moved due to the adjusting wetlands flags. Ms. Graziano asked if the roof drain could be vertical instead of horizontal, and Mr. Tayara stated the drain has to be at least 10 feet from the foundation, so if it was turned it would be closer to the wetlands. Mr. Tayara requested this hearing to be continued to April 14.

Motion to continue the public hearing for 40 Timber Crest Drive NOI to April 14<sup>th</sup>, 2022, at 7:45 p.m. made by David Travalini, seconded by Dayna Gill, passed 5-0-0.

Gill: Aye

Kripowicz: Aye

McKay: Aye

Narducci: Aye

Travalini: Aye

**Public Hearing #11 – 34 Timber Crest Drive (DEP #216-09XX) Notice of Intent** – proposal to construct a single-family house within the 100-foot Buffer Zone to Bordering Vegetated Wetlands

- WPA Form 3 – Notice of Intent
- WPA Form 4B – Orders of Resource Area Delineation – DEP #216-821, #216-841, #216-859, #216-878
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0052” by Outback Engineering Inc, dated December 28, 2021

Mounir Tayara, applicant, explain this lot has an already approved rain garden in the back (DEP216-0914). This model is proposed due to grading in the 15’ zone. They are proposing a retaining wall at the 25’ on the right side. Ms. Graziano stated she came up with new bounds for the lot because the wetlands go all the way around the lot. Ms. Graziano expressed concern that potential residents might dump material in the rain gardens, Mr. Tayara suggested listing a perpetual condition to try to prevent this – Ms. Graziano agreed.

Motion to continue the public hearing for 34 Timber Crest Drive NOI to April 7<sup>th</sup>, 2022, at 7:30 p.m. made by David Travalini, seconded by Dayna Gill, passed 5-0-0.

Gill: Aye

Kripowicz: Aye

McKay: Aye

Narducci: Aye

Travalini: Aye

**Public Hearing #12 – 42 Timber Crest Drive (DEP #216-09XX) Notice of Intent** – proposal to construct a single-family house within the 100-foot Buffer Zone to Bordering Vegetated Wetlands

- WPA Form 3 – Notice of Intent
- WPA Form 4B – Orders of Resource Area Delineation – DEP #216-821, #216-841, #216-859, #216-878

- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0050” by Outback Engineering Inc, dated December 28, 2021

Mounir Tayara, applicant, explained this lot also has grading up to the 15’, which is why there is a specified model. Ms. Graziano asked if the bounds could be moved to the 25’, Mr. Tayara explained they would not be able to grade if the bound was moved.

Motion to continue the public hearing for 42 Timber Crest Drive NOI to April 7th, 2022, at 7:30 p.m. made by David Travalini, seconded by Dayna Gill, passed 5-0-0.

Gill: Aye

Kripowicz: Aye

McKay: Aye

Narducci: Aye

Travalini: Aye

**Public Hearing #13 – 36 Timber Crest Drive (DEP #216-09XX) Notice of Intent** – proposal to construct a single-family house within the 100-foot Buffer Zone to Bordering Vegetated Wetlands

- WPA Form 3 – Notice of Intent
- WPA Form 4B – Orders of Resource Area Delineation – DEP #216-821, #216-841, #216-859, #216-878
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0051” by Outback Engineering Inc, dated December 28, 2021

Mounir Tayara, applicant, explained the proposed box on the plan is where the home would be located. Ms. Graziano stated she would like to add a bound at the southwest corner of the lot, Mr. Tayara agreed. Ms. Graziano noted trees that are to be saved on this lot.

Motion to continue the public hearing for 36 Timber Crest Drive NOI to April 7<sup>th</sup>, 2022, at 7:30 p.m. made by David Travalini, seconded by Dayna Gill, passed 5-0-0.

Gill: Aye

Kripowicz: Aye

McKay: Aye

Narducci: Aye

Travalini: Aye

**Public Hearing #14 – 32 Timber Crest Drive (DEP #216-09XX) Notice of Intent** – proposal to construct a single-family house within the 100-foot Buffer Zone to Bordering Vegetated Wetlands

- WPA Form 3 – Notice of Intent
- WPA Form 4B – Orders of Resource Area Delineation – DEP #216-821, #216-841, #216-859, #216-878
- Plans titled, “Conservation Permitting Site Plan, Parcel ID 14-005-0053” by Outback Engineering Inc, dated December 28, 2021

Mounir Tayara, applicant, explained the proposed box on the plan is where the home would be located. Ms. Graziano noted there should be fencing on this lot, and Mr. Tayara said he would add this to the plan and have a revised plan sent to Bridget.

Motion to continue the public hearing for 32 Timber Crest Drive NOI to April 7<sup>th</sup>, 2022, at 7:30 p.m. made by David Travalini, seconded by Dayna Gill, passed 5-0-0.

Gill: Aye

Kripowicz: Aye



McKay: Aye  
Narducci: Aye  
Travalini: Aye

### **Discussion: 313 R Village Street – Approving Funds for Survey of Conservation Land**

Ms. Graziano explained she is meeting with members of the Open Space Commission to better this area. There has been some encroachment on this land, but to have a legal letter sent out, the property line needs to be marked. Ms. Graziano recommended that a plot plan should be created for the lot, the property line abutting 311 Village Street should be marked with granite bounds.

Motion to expend up to \$4,000 from the Conservation Trust Fund under provisions of 48C to have a plot plan for 313 and 313R Village Street, and the purchasing of granite bounds to be place on the side abutting 311 Village Street made by David Travalini, seconded by Dayna Gill, passed 5-0-0.

Gill: Aye  
Kripowicz: Aye  
McKay: Aye  
Narducci: Aye  
Travalini: Aye

### **Approval of Minutes**

**January 27, 2022:** Motion to accept the meeting minutes from January 27, 2022, as presented made by David Travalini, seconded by Dayna Gill, passed 5-0-0.

Gill: Aye  
Kripowicz: Aye  
McKay: Aye  
Narducci: Aye  
Travalini: Aye

**January 13, 2022:** Chair Travalini had the following notes for the January 13, 2022, meeting minutes:

- Page 1: replace “suspension basin,” and “retention basin” with “detention basin”
- Page 2: replace “landscape about” to “landscape designer about”

Motion to accept the meeting minutes from January 13, 2022, as amended made by David Travalini, seconded by Dayna Gill, passed 5-0-0.

Gill: Aye  
Kripowicz: Aye  
McKay: Aye  
Narducci: Aye  
Travalini: Aye

**February 10, 2022:** Motion to accept the meeting minutes from February 10, 2022, as presented made by Dayna Gill, seconded by David Travalini, passed 5-0-0.

Gill: Aye  
Kripowicz: Aye  
McKay: Aye  
Narducci: Aye  
Travalini: Aye

**February 22, 2022:** Dayna Gill noted there is no date at the bottom of the minutes, and the minutes agenda item need to be removed since they were not addressed during this meeting.

Motion to accept the meeting minutes from February 22, 2022, as amended made by Dayna Gill, seconded by David Travalini, passed 5-0-0.

Gill: Aye  
Kripowicz: Aye  
McKay: Aye  
Narducci: Aye  
Travalini: Aye

**Adjourn**

Motion to adjourn the meeting at 10:23 p.m. made by Mike Narducci, seconded by Dayna Gill, passed by 5-0-0.

Gill: Aye  
Kripowicz: Aye  
McKay: Aye  
Narducci: Aye  
Travalini: Aye

Respectfully submitted by,

Anna Rice  
Administrative Assistant  
Community and Economic Development