

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



Medway Town Hall
155 Village Street
Medway, MA 02053
Telephone (508) 533-3292
bgraziano@townofmedway.org

TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

CONSERVATION COMMISSION

Meeting Minutes
Wednesday, August 11, 2022 – Virtual Meeting
Times are estimates only. Items may be taken out of order
7:30 p.m.

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

Pursuant to the provisions of Chapter 107 of the Acts of 2022, an act which extends certain COVID-19 measures adopted during the State of Emergency, and under which public bodies retain the option of holding open meetings and hearings remotely until March 31, 2023, 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. Information for participating via Zoom is posted at the end of this Agenda. ***Access via Zoom is provided for public participation for those portions of the meeting open to the public.***

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

Commissioners Present: David Travalini, Dayna Gill, Sean Green (arrived at 7:55 p.m.), Mike Narducci, David Blackwell

Commissioners Absent: Tara Kripowicz, Ken McKay

Also present: Bridget Graziano, Conservation Agent

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

Request for Certificate of Compliance

49 Alder Street (DEP #216-0837) – Proposed for construction of 4, 500 sq. ft. steel building, connecting to the existing stormwater management system

Motion to continue the request for Certificate of Compliance for 49 Alder Street to August 25, 2022, at 7:30 p.m. made by David Travalini, seconded by David Blackwell, passed by a roll call vote: 4-0-0.

Blackwell: Aye

Gill: Aye

Green: Aye

Narducci: Aye

Travalini: Aye

Millstone Retirement Community (DEP #216-0735, 216-0857, 216-0877) – Proposal to construct an 80-unit condominium community, stormwater infrastructure, roadways, landscaping, and utilities.

Motion to continue the request for Certificate of Compliance for Millstone to August 25, 2022, at 7:30 p.m. made by David Travalini, seconded by David Blackwell, passed by a roll call vote: 4-0-0.

Blackwell: Aye

Gill: Aye
Green: Aye
Narducci: Aye
Travalini: Aye

Request for Determination of Applicability

- **2 Broken Tree Road RDA-22-08:** proposal to install a replacement septic system and abandon the existing system

Paul DeSimone of Colonial Engineering was present to discuss the project. He stated there are wetlands in the back of the property, and there are 72' between the wetlands and the proposed septic system. He stated the septic system in the front will be abandoned by not disturbed. Ms. Graziano stated she has already spoken with Mr. DeSimone regarding amending the plan.

Motion to issue a +5/-3 Determination of Applicability with conditions as stated by the Conservation Agent and listed on the permit, made by David Travalini, seconded by David Blackwell, passed by a roll call vote: 5-0-0.

Blackwell: Aye
Gill: Aye
Green: Aye
Narducci: Aye
Travalini: Aye

Discussions

Discussion #1 – 0 Waterview Drive – Enforcement Order – Restoration Plan Review and Determination

Russ Waldron was present for the discussion. Mr. Waldron stated he was able to give Ms. Graziano a soil plan and locate the wetland flags. He also revised the restoration. Mr. Waldron asked if invasive removal should be survival or coverage, and Ms. Graziano and Mr. Travalini agreed that it can be survival.

Ms. Graziano stated she would be willing to add the mechanical invasive species pulling under the enforcement order, but if they would like to do a full invasive removal they would have to file with the Commission. Ms. Graziano recommended doing plantings in phases, so they are not overwhelmed by many plantings at once. Mr. Waldron said the owners will eventually apply with the commission to do a full invasive removal. Ms. Graziano asked Mr. Waldron to supply the square footage of the area and the planting plans to the Commission to apply to the Enforcement Order.

Discussion #2 – 2 Little Tree Road (DEP #216-0999) – review to extend deadline for restoration under Order of Conditions

Matt Araya was present to discuss the project. He stated soil samples were taken on July 21st, and the turnaround time for the lab work to be completed is ~4 weeks, so the completed tests should be available by the following week.

Motion to grant the extension for DEP #216-0999 2 Little Tree Road to allow restoration to take place up to September 14, 2022, made by David Travalini, seconded by David Blackwell, passed 5-0-0.

Blackwell: Aye
Gill: Aye
Green: Aye
Narducci: Aye
Travalini: Aye

Discussion #3 – Review of proposed Tree Preservation Bylaw update

Ms. Gill stated that she did not make any changes to the update. Mr. Travalini stated he wants to add a section going through the benefits of the bylaw – specifically in the findings section. Ms. Gill stated the bylaw should have a more detailed approach rather than being broad and open to interpretation. Mr. Green stated the more detailed it is the more confusing it might become. Ms. Graziano stated she thinks the bylaw should apply to all homes, not just new builds, and include a nonconforming section to the bylaw. Mr. Green stated with the influx of people in town and additions being put on to homes it should be applicable to all homes. Mr. Narducci stated he is opposed to this.

Mr. Narducci stated that from a builder's point of view, many homeowners do not like the rain gardens, and is wondering if there is a way to improve the rules around them. Mr. Travalini stated these are not Conservation rules, but the State has determined that phosphorus is a major issue with stormwater, so the stormwater rules have increased, which especially affects new builds. He stated they may not be able to change the rules because it is a state mandate rather than a town mandate.

Public Hearings:

Public Hearing #1 – 5 Royal Heights Drive (DEP #216-10xx) Notice of Intent – Proposal to construct an addition to the existing single-family dwelling, new patio, deck and relocate the existing shed.

- WPA Form 3 – with attachments from Goddard Consulting, dated June 30, 2022
- Plans titled, “Proposed Construction Plan 5 Royal Heights Drive, Medway, MA” by Applewood Survey Co., dated May 31, 2022.

Motion to continue the public hearing for 5 Royal Heights Drive to August 25, 2022, at 7:45 p.m. made by David Travalini, seconded by David Blackwell, passed by a roll call vote: 5-00

Blackwell: Aye

Gill: Aye

Green: Aye

Narducci: Aye

Travalini: Aye

Public Hearing #2- (cont. 6/9/22, 6/23/22) West Street, Beech Street Sidewalks (DEP #216-1018)

Notice of Intent – proposal to redesign and construct the existing roadway, to straighten and now include sidewalks

- WPA Form 3
- Plans titled “Sidewalk and Roadway Improvement Plans West Street Medway, MA” by Guerriere and Halnon, dated April 1, 2022.

Motion to close the public hearing for DEP #216-1018 made by David Travalini, seconded by David Blackwell, passed by a roll call vote: 5-0-0.

Blackwell: Aye

Gill: Aye

Green: Aye

Narducci: Aye

Travalini: Aye

Motion to issue an Order of Conditions for DEP #216-1018 with findings as stated by the Conservation Agent and stated in the permit, made by David Travalini, seconded by David Blackwell, passed by a roll call vote: 5-0-0.

Blackwell: Aye

Gill: Aye

Green: Aye
Narducci: Aye
Travalini: Aye

Public Hearing #3 – (con’t 5/11/22, 6/9/22) 86 Holliston Street (DEP #216-1015) Notice of Intent –
proposal to construct a medical building with stormwater management

- WPA form 3
- Plans titled “Site Plan 86 Holliston Street Medway, MA” by Guerriere and Halnon, dated April 14, 2022, revised June 29, 2022
- Stormwater Report titled “Stormwater Report for Medway Medical Building” by Guerriere and Halnon, dated April 14, 2022, revised June 29, 2022

Motion to close the public hearing for 86 Holliston Street made by David Travalini, seconded by David Blackwell, passed by a roll call vote: 5-0-0.

Blackwell: Aye
Gill: Aye
Green: Aye
Narducci: Aye
Travalini: Aye

Motion to issue an Order of Conditions for 86 Holliston Street with findings as stated by the Conservation Agent and stated in the permit, made by David Travalini, seconded by David Blackwell, passed by a roll call vote: 5-0-0.

Blackwell: Aye
Gill: Aye
Green: Aye
Narducci: Aye
Travalini: Aye

Public Hearing #4 – (con’t 5/11/22, 6/9/22, 7/27/22) 2 Marc Road (DEP #126-1017) Notice of Intent –
proposal to expand the existing building and parking and construct stormwater management system

- WPA Form 3
- Plans titled “2 Marc Road Site Plan of Land in Medway, MA” by Legacy Engineering, dated February 28, 2022, revised June 22, 2022
- Stormwater Report titled “Stormwater Report for 2 Marc Road” by Legacy Engineering, dated February 28, 2022

Dan Merrikin of Legacy Engineering was present to discuss the application. Mr. Merrikin reviewed the plan and explained that 2 Marc Road was a former contractor’s yard, so it has been disturbed for decades. He explained that there is an existing building and parking lot, and the applicant is looking to expand the building and provide additional parking, which was shown in the prior permit. Mr. Merrikin stated he will be adjusting the plan based on Ms. Graziano and Tetra Tech’s comments.

Mr. Travalini asked if the drainage aids in the removal of phosphorus, Mr. Merrikin stated that the current drainage system will be supplemented as outlined in the stormwater report. Ms. Graziano asked if this will be the end of development on this parcel, Mr. Merrikin confirmed that it is. Ms. Graziano requested all area that is not impervious remain meadow as it is today.

Motion to continue the public hearing for 2 Marc Road to September 8, 2022, at 7:45 p.m. made by David Travalini, seconded by David Blackwell, passed by a roll call vote: 5-0-0

Blackwell: Aye
Gill: Aye
Green: Aye
Narducci: Aye
Travalini: Aye

Other

Mr. Narducci stated that from a builder's point of view, many homeowners do not like the rain gardens, and is wondering if there is a way to improve the rules around them. Mr. Travalini stated these are not Conservation rules, but the State has determined that phosphorus is a major issue with stormwater, so the stormwater rules have increased, which especially affects new builds. He stated they may not be able to change the rules because it is a state mandate rather than a town mandate. Mr. Narducci asked if there was a way to make this more desirable for the customer as a builder, Ms. Graziano stated the Stormwater Bylaw is a collaboration between Conservation, Planning, Community and Economic Development, and DPW, and that DPW was probably the department that put that forward. Ms. Graziano recommended meeting with Stephanie Carlisle and herself to discuss this. Ms. Graziano stated the town is required to have the Stormwater Bylaw. Ms. Graziano stated the only thing that could really be changed in the bylaw is the 20,000 sq. ft. land disturbance for stormwater requirements.

Agent Report

- Update the Commission on new conservation land to be conveyed to the Conservation Commission

Adjourn

Motion to adjourn the meeting at 9:45 p.m., made by Sean Green, seconded by David Blackwell, passed by a roll call vote: 4-0-0.

Blackwell: Aye
Gill: Aye
Green: Aye
Travalini: Aye

Respectfully submitted by,
Anna Rice
Administrative Assistant
Community and Economic Development

Documents Presented at the August 11, 2022 meeting

- Plans titled "2 Marc Road Site Plan of Land in Medway, MA" by Legacy Engineering, dated February 28, 2022, revised June 22, 2022