



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

September 10th, 2015

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on September 10th, 2015 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Brian Snow, Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- The meeting was called to order at 7:43 P.M.
- Conservation Commission Chairman, Mr. Travalini asked the members of the board if there are any additional items to be added to the agenda.
There were none.

Approval of August 27, 2015 CONCOM meeting minutes-

Motion was made by Mr. Travalini to approve the minutes from August 27, 2015 meeting, seconded by Mr. Snow. All were in favor.

Request for Determination of Applicability-

- **5 Brookside Road – Removal of trees within riverfront area of chicken brook-**

Motion was made by Mr. Travalini to continue 5 Brookside Road to the September 24, 2015 meeting at 7:30 P.M. The motion was seconded by Mr. Snow and it was voted to approve 3-0.

- **26 Temple Street (RDA- 16-04)- proposal to construct an expansion area to the existing deck –**

The applicant and property owner, Mr. Enrico Miranda was present at the meeting. Proposed work includes the expansion of the existing deck. The Agent, Ms. Graziano conducted a site visit on 08/16/2015. The proposed area of work is qualified as a BVW and the construction of the deck is 70' from the BVW.

Motion was made by Mr. Travalini to issue a negative 3 and positive 5 determination of applicability for 26 Temple Street (RDA 16-04), with the conditions that any disturbed areas shall be seeded post construction and any soils removed from the footings shall be discarded outside the 100' buffer zone. The motion was seconded by Mr. McKay and it was voted to approve 3-0.

- **9 Summer Street (RDA- 16-03) - proposal to perform three soil borings-** CONCOM member Mr. Snow signed a Conflict of Interest letter noting his conflict. The applicant's representative noted this and agreed to move forward, as without Mr. Snow the Commission would not have a quorum to hear the project proposal. Ms. Tammy Samford from GEI Consultants was present at the meeting as Exelon's representative. She stated that as part of the design process for the construction of a new 200 megawatt power plant, a sub-surface investigation is proposed that includes advancing seventeen soil borings. Three out of the seventeen borings are within the 100' buffer zone. Three 4" borings will be advanced to a maximum depth of 20 feet and will be completed using a truck mounted drill rig. CONCOM Agent, Ms. Graziano conducted a site visit on 09/09/2015 to confirm the wetland boundaries. She informed the Commission about the presence of another wetland adjacent to the proposed boring locations that has not been flagged but has been requested to be in the ANRAD if the proposed project was to impact these areas. The wetland was never flagged and requested for review. The Agent provided her recommendation on some proposed conditions to be associated with the project if the Commission agreed with her recommendation to approve the project with minor condition. Conditions recommended included: Erosion controls must be provided in the form of compost socks around the test sites. All the soils should be removed from the buffer zone. No disturbance to the vegetation shall occur and all areas of disturbance shall be re-seeded. David Blackwell, from 2 Winthrop Street asked the Commission about a spill in the area/project site in 1978 and voiced his concern for working near contaminated soils. To reiterate that the fact that ground water is not contaminated, he asked if the soil materials around the borings closest to the borings will be tested. There was discussion about jurisdictional issues in conducting these tests outside of 100' buffer zone. Members opined that it is a potential Board of Health or Department of Environmental Protection issue and if the Commission has concerns about the soil contamination after reviewing the MCP filings then it could be dealt with under the NOI process. Mr. Travalini asked Ms. Graziano to contact Massachusetts Department of Environmental Protection (DEP) to understand and the policies to perform soil testing in areas outside the 100' buffer zones.

Motion was made by Mr. Travalini to issue a Negative 3, 5 and Positive 2b, 5 determination of applicability for 9 Summer Street, with the conditions that siltation control be established according to CONCOM Agent's request, all soils removed from the hole shall be put back after the work is complete, the disturbed area shall be seeded after the work is complete. The motion was seconded by Mr. McKay and it was voted to approve 3-0.

- **17 & 19 Millstone Drive (RDA-16-06) - Proposal to construct two single family homes, utilities, driveways, and landscaping**

Ms. Joyce Hastings from GLM Engineering was present at the meeting representing the applicant. Commission enquired about the type of units being built and if they were consistent with the approved plans. At the present time, applicant is not certain about the type of units that will be built. It was discussed about the filings for the rest of the project. She noted that a Notice of Intent will be filed for the roadway, remaining drainage outlets and the first 9 units (with agreements) proposed to be built. These nine units will have an additional 1800 Sq. Ft. of impervious surface. Current request is to close the old/expired Notice of

Intent and file a new application for the remaining roadway with associated utilities and for the nine units. The new NOI shall stay active/open until the sub-division project is complete. The submitted plans for the Request for Determination of Applicability (RDA) and the NOI are the identical. The Commission liked the idea of dividing the development into multiple NOI for the phased work.

Motion made by Mr. Travalini to issue a Negative 3 and Positive 5 determination of applicability for (RDA-16-06), 17 & 19 Millstone Drive as per plans, seconded by Mr. Snow. All were in favor.

- **6 Ellis Street (RDA-16-05) - Proposal to install a replacement septic system and abandon the old system**

Ms. Joyce Hastings from GLM Engineering was present at the meeting representing the applicant, Ms. Pam Champagne. It was noted that the applicant works for the Town of Medway. The proposed work involves replacing a failed septic system. The existing septic system that comes out from the middle of the house will be abandoned and a new tank will be installed tying into the existing line. The proposed work will be done within the existing lawn and erosion control is proposed to be installed. Access will be provided off of the driveway. The Agent noted that the access path in the submitted plans is incorrect. A site visit was conducted by the Agent and she reiterated that the proposed work is within the existing lawn, 66 ft. from the BVW and the grade of the property will not be changed.

Motion was made by Mr. Travalini to issue a Negative 3 and Positive 5 determination of applicability for 6 Ellis Street (RDA-16-05) with the conditions that a limit of work shall be established before the project commences using a filter mitt, there shall not be any stock piling, no equipment shall be placed within the 100' buffer zone, all disturbed areas will be seeded post construction, erosion control must be inspected by the Agent before it's removal, seconded by Mr. Snow. All were in favor.

Public Hearings

- **Continued Public Hearing#1 Notice of Intent (5/28/15, 6/25/15, 7/23/15) - 257 Village Street (DEP# 216-832)-Proposal to install an e-one pump unit, force main, and sewer manhole structure –**

The applicant was informed of this agenda item but was not present at the meeting. CONCOM members made a decision to close the hearing on the current Notice of Intent. A new NOI must be filed with clear definitive plans of the proposed project with adequate representation of the wetlands and the applicant must be present or have a representative present at the meetings.

Motion was made by Mr. Snow to close the hearing on (DEP# 216-832. The motion was seconded by Mr. Travalini and it was voted to approve 3-0.

Discussions

Discussion #2- Review and sign Eagle Scout Project at Breshanahan's Landing

CONCOM Chair, Mr. Travalini inspected the project site and expressed his satisfaction with the work completed.

Discussion#3- Vote to approve letter to Conway School for ecological Study at the Adams Street Management Area (formally Briggs Management Area)

Ms. Graziano had a telephone conversation with Ms. Kristin Thomas at the Conway School of Design about the proposed project for the Adams Street Management Area. Ms. Thomas replaced Mr. David Nordstrom with whom CONCOM held discussions earlier. The Agent presented to CPC the CONCOM and Open Space Committee approved letter and scope of work to request funding for the project in the amount of \$6500. The final scope of work will be presented to the CPC at their October 2015 meeting. The letter will be refined and discussed on 09/24.

Discussion #4- Review of Scope of Services of Engineering Firm for trails design

The plans for the proposed trail between Adams Street parcel to Iarussi Way were presented at the September 2, 2015 meeting. The Agent presented the finalized version to CONCOM.

Agent Report-

- **Wickett Property Appeal DEP# 216-0841- Order of Resource Area Delineation-** The Agent reported that abutters appealed the ORAD with the DEP. The appeal document was sent to our office and it showed aeriels noting areas of disturbance that was caused by previous activities undertaken by the property owner. Mr. Art Allen, the wetland scientist expressed his opinion that more wetlands were created on the property. There is a potential that DEP might inspect the property to make a decision on the appeal or remand it back to CONCOM.
- **Tri-Valley Commons progress and reports (review)** – The Agent will make a final site visit to the property to determine if all of CONCOM's requirements to meet the conditions under the Order of Conditions have been completed. Applicant was given until September 8, 2015 to complete the work. The Agent reported that straw bales and silt fence condition has been met. Erosion control blankets for the slope have not been implemented. All the conditions in the order were completed on September 10, 2015. An amendment must be requested by the applicant if there are any proposed changes to the plans.
- **165 Main Street – Violation and progress-** Members discussed the response letter written by the owner of 165 Main Street to the violation letter sent by this office.

- **43/49 Lovering Street – Violation and Progress-** Enforcement Order for the 43/49 Lovering Street property will be mailed on September 11, 2015.

**Motion made by Mr. Travalini to adjourn the meeting, seconded by Mr. Snow@ 9:30 P.M.
Unanimous.**

Respectfully submitted,

Sreelatha Allam
Minutes Clerk

Documents Presented at the September 10, 2015 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Request for Determination of Applicability-

- **5 Brookside Road – Removal of trees within riverfront area of chicken brook-**
- **26 Temple Street (RDA- 16-04)- proposal to construct an expansion area to the existing deck –**
 - WPA Form1- Request for Determination of Applicability for 26 Temple Street
 - WPA Form2- Determination of Applicability for 26 Temple Street
 - Copies of the sketches representing the proposed work
 - Agent's Application Summary for RDA-16-04 dated August 31, 2015
 - Medway CONCOM Order of Conditions for RDA-16-04 dated September 14, 2015
- **9 Summer Street (RDA- 16-03)- proposal to perform three soil borings-**
 - Agent's Application Summary for 9 Summer Street (RDA-16-03) dated August 31, 2015
 - Medway CONCOM Order of Conditions for RDA-16-03 dated September 11, 2015
 - WPA Form1- Request for Determination of Applicability for 9 Summer Street
 - WPA Form2- Determination of Applicability for 9 Summer Street
 - Site Plans for 9 Summer prepared by GEI Consultants dated August 2015
 - Letter from GEI Consultants dated August 27, 2015
- **17 & 19 Millstone Drive (RDA-16-06) - Proposal to construct two single family homes, utilities, driveways, and landscaping-**
 - Copy of the Order of Conditions dated September 14, 2015
- **6 Ellis Street (RDA-16-05)- Proposal to install a replacement septic system and abandon the old system-**
 - Locus map of 6 Ellis Street property
 - Town of Medway, Mass GIS map
 - WPA Form1- Request for Determination of Applicability for 6 Ellis Street
 - WPA Form2- Determination of Applicability for 6 Ellis Street
 - Unofficial property record card
 - Flood insurance rate map
 - Site plans for 6 Ellis Street prepared by GLM Engineering dated August 6, 2015
 - Agent's Application Summary for 6 Ellis Street (RDA-16-05) dated August 31, 2015
 - Medway Order of Conditions dated September 11, 2015