



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall
155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

February 27th, 2014

The Medway Conservation Commission held its regularly scheduled meeting on February 27th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Glenn Murphy, Jen Bosselman, Ken McKay, Interim Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:37PM
- Approval of Minutes- February 6, 2014 –
Motion made by Ms. Bosselman to approve the February 6th 2014 meeting minutes, seconded by Mr. Mr. Murphy. Abstention -Mr. McKay.
- Approval of Minutes- January 16, 2014 -
Motion made by Mr. Travalini to approve the January 16th 2014 meeting minutes, seconded by Mr. Mr. McKay. Abstentions- Ms. Bosselman and Mr. Murphy.

Request for Determination of Applicability

1. **Request for Determination- DEP # 131- # 133 Milford Street** – Present is Robert Alva on behalf of Dennis Murphy Insurance agency. Mr. Murphy is in the process of purchasing 133 Milford St which will be combined with the existing insurance agency. The existing conditions plan and the proposed site plan were presented to the commission for review. The proposal is to build ten parking spots and this proposal has been through the planning board and received site plan approval. It includes new landscaping and a new sidewalk that connects the two parking areas. The rear of the site is an existing wetland, and a portion of the work (construction of the drive way) and the proposed grading work ends up in the buffer zone. The area that will be disturbed within the buffer zone is currently lawn which was built and completed in 2009. Being a small site with relatively small room for at-grade basin, it is being proposed to build porous pavement. The plan was reviewed by the planning board consultant and complies with storm water management standards. The wetland delineation was performed by Mr. Alva's firm in the spring of 2013. The western boundary of the property is a stone wall. Ms. Graziano made a site visit but could not confirm the wetland line due to snow. She suggested options for erosion controls which include using straw bales and silt fencing. The snow storage area will be removed from the wetland buffer zone and native plantings will be provided for the native buffer zone. She requested a separate storm water maintenance plan since there will be maintenance associated with porous pavement. Mr. Travalini suggested there should be orange

construction fence on top of the silt fence for easy visibility. Mr. Alva confirmed that the planning board requires a porous pavement maintenance plan. As part of monitoring the maintenance plan, Mr. Travalini suggested a sign saying no snow removal should be installed. Mr. McKay suggested planting native species around the area.

Motion made by Mr. Travalini to issue negative request for determination with conditions, storm water maintenance plan to be submitted in a separate document to the commission, the semi-annual receipts for the vacuuming of the porous pavement be mailed to the commission, planting plan with native species for the corner (in the buffer zone) be provided, snow storage to be moved to the southeast corner, excavated material and machinery will be stored outside the buffer zone, silt fence should be covered by orange construction, seconded by Mr. Murphy. Unanimous.

2. **Notice of Intent – 58 Oakland Street (DEP File # 216-833)** – Present is Joyce Hastings from GLM Engineering representing Mr. Robert Callahan. Ms. Hastings came before the commission few months ago requesting the demolition of the existing dwelling at 58 Oakland Street. This 5 acre property is across the street from Medway cemetery. Ms. Hasting presented to the commission the existing conditions plan. There is wetland across the middle of the property. Proposal is to tear down the existing structure and build a duplex structure accessed by a driveway coming up to the middle of the lot with two parking lots on either side. Property will be served by two separate septic systems which are outside the 100ft buffer zone as is the driveway and half of the house. The activity within the 100ft buffer zone is the construction of the structure. Tires, chicken coops, and some old fencing are present in the buffer zone and they will be removed as part of the project. Two cesspools will be filled and abandoned and it will be done in compliance with the board of health procedures. Silt fence backed by straw bale will be used as an erosion control barrier around the limit before the construction starts. There will be no stock piling in the 100ft buffer zone. The stone walls associated with the house will be removed and anything that is disturbed will be seeded. Ms. Patty Barry, the previous conservation commission agent made a site visit to the property and wrote the order of conditions. A site visit was scheduled for March 8, 2014 at 8:00 A.M. Ms. Hastings said the next steps for the project will be to acquire board of health permits for septic system and a building permit. Ms. Graziano asked for the number of the AutoCAD on the square footage in the buffer zone area. The rear roof run-off will be collected into the dry walls on both sides of the structure. The entire backyard will be seeded with lawn mix.

Motion made by Mr. Travalini to continue DEP # 216-833 to the March 13, 2014 meeting, seconded by Ms. Bosselman. Unanimous.

3. **Continued Notice of Intent- 10 Overlook Drive (DEP File # 216-831)** – **Motion made by Mr. Travalini to continue the 10 Overlook Drive (DEP File # 216-831) continued to the March 27, 2014 meeting, seconded by Ms. Murphy. Unanimous.**

4. **Continued Abbreviated Notice of Resource Area Delineation- 102 Winthrop Street (DEP File # 216-821)** – Motion made by Mr. Travalini to continue the 102 Winthrop Street (DEP File # 216-821) continued to the March 13, 2014 meeting, seconded by Ms. Bosselman. Unanimous.
5. **Continued Notice of Intent- 257 Village Street (DEP File # 216-832)** - Motion made by Mr. Travalini to continue the 257 Village Street continued to the March 27, 2014 meeting, seconded by Mr. Murphy. Unanimous.

Discussion Items:

1. **Jim Wickis Presentation on future projects at the Amphitheater – continued to March 13, 2014 meeting**
2. **2, 4 & 6 Little Tree Enforcement Order – Dissolution Discussion**

Ms. Graziano requested the commission to give her some background about this discussion item. Mr. Travalini explained that the residents of 2 Little Tree Property pumped their septic waste to the catch basin that went into a detention pond on 4 and 6 Little Tree properties. An enforcement order was issued to all the three properties. The owner of 4 Little Tree property appeared before the commission in the earlier meeting to get clarification on the issue. Commission had asked her to communicate with the board of health and conveyed to her that she will not be fined since it is not her fault. A 21D ticket was issued by Ms. Barry and if the residents do not pay the fine then they will have to attend a court hearing. Ms. Graziano will check with the town clerk if the fine has been paid otherwise she will be issuing the ticket every 21 days until it gets paid. She will talk to the residents of 2 Little Tree and schedule a site visit.
3. **Schedule site visit for Wetlands Replication Area for Rt. 109 Project-** Ms. Graziano met with consultant Marty who was hired by the town of Medway to work on the project with Tom Holder. Both went over the area that the town is proposing to replicate for. The proposal also includes the removal of Japanese knotweed. Commission will schedule a site visit as soon as the weather becomes better
4. **Review Open Meeting Law –pertaining to site visits-** Ms. Graziano had a discussion with Mr. Travalini recently about scheduling site visits without posting or announcing it at a public meeting. Mr. Travalini said, the abutters are not allowed for site visits unless permitted by the property owner. The public meeting where the site visit will be scheduled should be on the agenda. Ms. Graziano presented to the commission, page 4 of the open meeting law. There are five exemptions to the definition. The first exemption said that the members of the board may conduct an on-site inspection; however they cannot deliberate as such. Before the notice of intent is scheduled, the conservation agent schedules a site visit with the commission members. A consultant is allowed to attend and the commission is not allowed to deliberate during that time. Project proposal can be presented; site walk can be made with some Q & A, but none of the commissioner's express their opinion. The consultant will appear before the board on the scheduled day and then the Commissioners can present their views about the project. Before NOI is scheduled, Ms. Graziano will schedule a site visit with the members before the item is presented in the meeting. She said this will allow for more efficiency eliminating the need for continuing the item to the next meeting. On

the question of forming sub-committee, conservation commission is not allowed to form a sub-committee since they do not have the authority.

At the February 6, 2014 meeting the conservation commission voted to change the language for wetlands by-law. Section 21.5 will be replaced with specific drafted language that will be approved by the town selectman. Any By-Law fee should go into the general fund. The fee given to the town by the state will go into the WPA filing fee fund under the Massachusetts general laws.

Motion made by Mr. Travalini to approve the language of the by-laws, seconded by Ms. Bosselman. Unanimous.

Motion made by Mr. Murphy to adjourn the meeting, seconded by Ms. Bosselman. Unanimous.

Respectfully submitted,

Sree Allam
Minutes Clerk

Documents Presented at the February 27, 2014 Public Meeting

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

Request for Determination of Applicability

1. Request for Determination- DEP # 131- # 133 Milford Street
 - Plan titled, Murphy Insurance Agency Modification of Approved Plan by David E. Ross Associates, dated August 2013
 - Agents Application Project Summary
 - Stormwater Analysis for Murphy Insurance Agency 131 & 133 Milford Street by David E. Ross Associates, dated October 2013

Public Hearings

Notice of Intent – 58 Oakland Street (DEP File # 216-833)

- Notice of Intent by GLM Engineering Consultants, Inc, dated January 2, 2014
- Plan titled, Proposed Sewage Disposal System 58 Oakland Street by GLM Engineering Consultants, Inc, dated November 20, 2014

Discussion Items:

1. **2, 4 & 6 Little Tree Enforcement Order – Dissolution Discussion**
 - None presented just discussed previous actions
2. **Review Open Meeting Law**
 - Open Meeting Law Guide, February 10, 2012