

MEDWAY CONSERVATION COMMISSION



**Sanford Hall, Town Hall
155 Village Street, Medway, MA 02053
7:30 P.M.
Meeting Minutes
October 23, 2014**

Member Present: David Travalini, Ken McKay, Tony Biocchi, Jennifer Bosselman

Members Absent: none

Staff Present: Bridget Graziano, Agent

Guests: Arlene Sabin, Ryan Spiess, Jennifer Spiess, Katherine Fitzgerald, David Hobbs, Cheryl Hobbs, Jeanette Marston, Paul DeSimone, Matthew Sampori, Justin Peristone, John and Angela Sarneksy, Paul DiFronzo

Meeting Called to Order: 7:34 PM.

The Chair requested that the Agent add a section on the Agenda for a Commissioners reports to have members report on site visits dates and times when the Agent was not present. The Agent agreed.

Mr. Travalini asked if there were items or discussion that were not reasonably anticipated within 48 hours of the meeting being posted. There were none.

Meeting minutes

September 25, 2014 meeting minutes

The members reviewed the meeting minutes of 9/25/14. Ms. Bosselman corrected a section where Agent should be capitalized. The Agent requested to strike the second sentence in the 257 Village Street public Hearing section. The Commission agreed. Ms. Bosselman moved to accept the meeting minutes as amended. Mr. Travalini seconded and it was voted to accept 4-0.

October 9, 2014 meeting minutes

The members reviewed the meeting minutes of 10/9/14. Mr. Travalini moved to accept the meeting minutes as amended with the following amendments, deletion of line in discussion #2, “ The existing foundation is smaller than the proposed and 32 feet (approx..) for the wetlands. The existing foundation is 116 feet from the edge of wetlands.” Mr. Biocchi seconded and it was voted to accept 4-0.

Executive Session April 10, 2014 meeting minutes

Not reviewed

Public Hearings

Continued Notice of Intent – 257 Village Street (DEP File #216-832)- Proposal to install an e-one pump unit, force main, and sewer manhole structure

No one was present to represent the applicant. Mr. Travalini opened the hearing at 7:45PM. The Agent reported that Mr. John Spink requested the hearing be continued to the next available meeting in November 2014. Mr. Travalini moved to continue the hearing to November 13, 2014 at 7:45 PM.

Continued Notice of Intent (10/9/14) – 1 Sherwood Drive (DEP File #216-839)- Proposal to construct a single family home and wetlands crossing

Mr. Travalini opened the hearing at 7:46 PM. Mr. Paul DeSimone of Colonial Engineering was present to represent the applicant/property owners who were present in the audience. Mr. DeSimone presented the proposal to construct a single family home within the 0-100’ of jurisdictional resource known as Bank. He explained that there is a swale bisecting the property which carries upland water to Bordering Vegetated Wetlands and intermittent stream. Mr. DeSimone noted that the property owners have agreed to set aside a portion of their land for conservation purposes and protection.

Mr. Travalini asked about the foundation, and whether it will be a full basement or slab. Mr. DeSimone stated he does not have the answer to this question at this time. Members discussed erosion controls and the proposal for a “conservation restriction”. Mr. Trvalini asked if the Agent has questions or concerns. The Agent noted that this donation of a portion of the parcel, should not be considered or referred to as a Conservation Restriction unless the applicant was truly proposing to go through the process associated with a Conservation Restriction. Mr. DeSimone asked if it could just be an area recorded and noted for no further development. The Agent agreed language could be drafted for this in the Order of Conditions.

Mr. Travalini asked for public comment. Mr. Sarneksy of 4 Sherwood Drive asked about the driveway location in proximity to his. The Commission was not aware of the location of his

driveway to answer this and it was noted that this is not wetlands related. The Agent noted this could be an issue when the property owners apply to DPS for a curb cut.

The Commission discussed that Mr. DeSimone had provided answers to all other questions requested by the Commission and the Agent at the October 9, 2014 meeting. It was noted that the applicant has made every effort to keep as many trees as possible and protect the bank during and post construction.

Mr. Travalini moved to close the hearing. Mr. McKay seconded and it was voted to close 4-0.

The Commission briefly discussed the special conditions for erosion controls, tree protection, and meeting the performance standard requirements for the Massachusetts WPA and Medway Wetlands Bylaw and Regulations.

Mr. Travalini moved that the Commission finds that the Commission hereby finds that the work proposed to construct a single family dwelling, utilities, driveway and landscaping within the 0' -100' buffer zone and alteration of bank for driveway crossing will have no adverse effects to the jurisdictional area known as bank under 310 CMR 10.54 and Article XXI of Medway General Bylaws, Regulations Section 3.01 as the applicant has shown there will be no restriction of any waters that flow from uplands areas to any stream and/or BVW or cause flooding post-construction, provided that the applicant complete all requirements under this Order for the protection of this resource. The applicant has presented sufficient evidence to demonstrate that the proposed activity will not cause any impacts to jurisdictional areas during or after construction through proposed implementation of protective measures and mitigation. Additionally, the applicant has provided evidence demonstrating that the proposed project will not impact any Interests of the Act or the Bylaw during or post-construction. The applicant has offered to plant vegetation surrounding the bank in order to provide protection of the Interests of the Act, construct portions of the driveway with pervious materials, and retain the maximum amount of vegetation possible within the 0-100' buffer zone to Bank. The Commission finds that the work can be conditioned to protect the Interests of the MA Wetlands Protection Act and the Medway General Wetlands Protection Bylaw.

Mr. Travalini added that the erosion controls in and near the Bank should consist of compost socks only to protect the Banks during construction. Mr. McKay seconded and it was voted to approve 4-0.

Request for Certificate of Compliance

- (continued from 8/14/14 and 8/28/14) **7 Iarussi Way DEP File # 216-762** – construction of single family dwelling, driveway, landscaping and utilities

The Agent reported that the property owner nor the proponent's representative have been in contact and the Agent has not had a final review of the site. Mr. Travalini voted to continue it to the November 13, 2014 meeting. Mr. McKay seconded and it was voted to approve 4-0.

Discussions

Discussion #1 – Tina Wright Amendment of Order of Conditions for Village Street Canoe Launch DEP #216 -0802

Ms. Wright of the Open Space Committee was present for the discussion. She introduced herself and explained she had been working with the Agent extensively on the Village Street Canoe Launch and other open space and trails throughout town. The Commission discussed and reviewed the Village Street Canoe ramp. Mr. Travalini reported there is erosion and that he and the Agent has visited the site. Ms. Wright asked if constructing a rain garden (as prescribed by the Agent), invasive species removal, and a place for a sitting bench. In addition, she mentioned the sight lines pulling out from the parking lot to Village Street. The Agent reported that DPS completed some tree removal for sight lines and it was better.

Mr. Travalini discussed protecting the west side of the bank of the Charles, the possibility of having the proposed Sycamore tree that was discussed with Fred Sibley. The Agent discussed the rain garden and plantings needed along with other supplies.

Ms. Wright noted that the Open Space Committee is the applicant and would like to request to amend the open Order. Mr. Travalini provided some information of how to manage for invasives. The Agent felt anything discussed at this meeting, accept for plantings in landscaped areas would require an amendments. The Commission discussed this. The Agent agreed to general a possible planting list of native species and sent to groundscapes and ask Mr. Stella from Mass Boating if he can supply plantings.

Mr. Wright noted that she and the Agent had walked the old Briggs trails from the High School and review possible new trails connecting the new town parcels and other town open space. The Commission would entertain the idea. The Commission needs to see the area and review plans before making a decision. Mr. Travalini would like to see crusher run used for trails and thinks it stays well and does not erode. Ms. Wright reported that the proposed trails would be flagged after Saturday and a walk on Tuesday with the Town review group. The Agent will attend and members will try.

Discussion #2 – Request for Amendment to Order of Conditions for plans under DEP # 216-0827 Dover Lane Lot #2

Not discussed

Discussion #3- 12 Canal Street Enforcement Order

Ms. Hayes was present as the property owner and this discussion was taken out of order at 8:40 pm. Ms. Hayes presented to the Commission that she completed the tasks to remove the vegetation from the Charles River. The Agent confirmed this. She continued that she is worried

about having the Enforcement Order open on her property over the winter and would like the Commission to agree that she has met all the requirements of the Enforcement Order. Nicole removed the trees from the river. She has done what the commission asked. The Commission discussed the issues along the slope with erosion and questioned the “path like” area where it looked like someone had been walking this for quite a while. Ms. Hayes claimed the water came high during wet season and may have caused this issue. Although, the Commission disagreed with this assessment, they felt the worn path was not enough to keep the Enforcement Order open and all the requirements for the tree removal had been complied with. Mr. Travalini moved to lift the Enforcement Order issued, October 3, 2014 (amended) as the property owner completed all requirements under this Order. Mr. Biocchi seconded and it was voted to approve 4-0. Ms. Hayes requested a letter be sent documenting this vote.

Discussion #4 – Amendment to Athletic Fields at High School Proposed Trails

This was discussed at the meeting under #1.

Agent Report

- **91 Fisher Street (DEP #216-0383) deviation from approved plan, review in the field (field change)** - The Agent presented the applicants required for an amendment to the plan. She noted it was approved by her, as this was a small request that was made in the field and needed to be approved. The Agent explained that this minor change could be depicted in the Certificate of Compliance request on the As Built plan. The Commission agreed with the Agent.
- **3 Adams Street possible violation** - The Commission discussed possible addition of fill within a wetland resource. Commissioners, Travalini and Bosselman did not see any issues and Mr. Biocchi agreed. Mr. McKay explained the location of the possible addition of fill to a wetland resource was in a location near the trailer. The Agent agreed that she did not see anything but she was not looking in the location of the trailer. Mr. Biocchi agreed to investigate and get back to the Commission on the area with the trailer in the front of the property.
- **Site Visit at Transfer Station** – The Agent reported that she visited the Transfer Station at the request of the Police Chief for the review of a possible shooting range for the police. The area was mapped as Bordering Land Subject to Flooding, even though this area was the old dump and the grade has been altered significantly. The proposal for the shooting range would be to move large piles of compost into a rectangle for a shooting range, no additional impervious surface or construction. The area was outside of the Commission’s jurisdiction for all wetland resource but the BLSF. The Agent felt this area has been completely altered and would not further effect the BLSF. Ms. Bosselman was concerned about the police picking up the casings and bullets, as she has worked on site that had contamination from a shooting range. She agreed to complete some research on this so the Agent could caution the Police to pick up all casings and bullets.

Adjourn

Mr. Travalini moved to adjourn. Mr. Biocchi seconded and it was voted to approve 4-0. The meeting was adjourned at 9:21 pm.

Respectfully Submitted,

Bridget R. Graziano
Conservation Agent

Documents Presented at the October 23, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Public Hearing

Continued Notice of Intent (10/9/14) – 1 Sherwood Drive (DEP File #216-839)- Proposal to construct a single family home and wetlands crossing

- Notice of Intent with Supplemental forms, date stamped received by Conservation Commission on September 25, 2014
- “Proposed Structure and Utilities Plan of Land in Medway, MA” by Colonial Engineering, dated September 16, 2014 and revised October 21, 2014

Discussions

12 Canal Street – Enforcement Order

- Picture supplied by the Property owners
- Pictures supplied by the Agent