



MEDWAY CONSERVATION COMMISSION MEETING

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

7:30 P.M.

Minutes

June 12th, 2014

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on June 12th, 2014 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Jen Bosselman, Interim Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

- Call to order at 7:35P.M.
- Mr. Biocchi joined the meeting at 7:40 P.M.

Request for Certificate of Compliance:

- **66 Village St – Charles River Wastewater Treatment Plant (DEP # 216-781) – Proposal to install fence along the driveway.** The Order of Conditions was not available to Ms. Graziano. She has reviewed the submitted plan with Kristin Paradee. Extra work such as the removal of straw wattles was requested in the un-stabilized areas created by the removal of erosion controls. The area has been seeded with straw wattles on top of it to stabilize the area. The area has been inspected, there is no vegetation growing in the area. Mr. McKay asked if there was any risk of damage and Ms. Graziano said no. She had expressed her satisfaction with this phase of the project and reported that there are two more phases that are currently under review. **Motion made by Mr. Travalini to issue a Certificate of Compliance for 66 Village Street (DEP # 216-781) based on the comments from the CONCOM agent, Ms. Graziano, seconded by Mr. McKay. Unanimous.**
- **17 Main Street (DEP # 216 – 828)** – Ms. Graziano made a site visit on May 30, 2014. The front yard of the property slopes into the wetland. She reported the erosion controls still need to be removed once stabilized and graded off to make sure there is no erosion into the wetlands resource and associated buffer zone. She noted the disturbed area have been hydro seeded but at this time no vegetation has grown. She explained she would like to see vegetation growing, erosion controls then removed (with Agent permission) and erosion control line and limit of work graded so not a cause erosion. If these conditions are met to the Commission's satisfaction compliance is expected with condition 26, 28, 29 and 30. .. A final visit shall be made by Ms. Graziano after all the requirements are met. A 21-day waiver was submitted by applicant.
- **10 Overlook Drive (DEP #216-664)** – This agenda item (Certificate of Compliance) was discussed and voted at the earlier CONCOM meeting. Ms. Graziano requested the members of the commission to sign the certificate. Mr. Biocchi abstained from signing the certificate since he was not at the meeting.

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. Present is Mr. Eric Ford from Lucas Environmental and Mr. Chris Lucas, Principal and owner of Lucas Environmental, Mr. John Spink, Design Engineer with the project proponent, Mr. David Einis. The initial Order of Conditions (still valid) on this property was issued by CONCOM commission in 2007. Part of the design was to sub-divide the parcel to create single family home lot. In November 2013, CONCOM agent issued an Enforcement Order since there was encroachment in the 25 ft. buffer zone. A site visit was made by Mr. Ford to the area on June 12, 2014 to assess the area for re-vegetation since no work was done after the enforcement order was issued. He reported that the area has showed a good sign of re- growth and expressed that leaving the area undisturbed should be sufficient for the purposes of the Enforcement Order without a need for a formal restoration plan. Mr. Travalini inquired the location of the silt fence on the plan submitted. Mr. Spink reported that they are outside the flag line but not by much. The line was initially flagged by LEC Environmental. Ms. Graziano and Mr. Ford made a site visit, however no augers were put and tested due to the absence of a finalized plan. Mr. Lucas reported that the wetland line for the property was approved by the CONCOM under the Order of Conditions for an over 55 community. Mr. Spink said the lot in question has always been a single family house lot. CONCOM members said the ANRAD was issued for the entire project and delineation was done as part of the project. The single family lot was not delineated and walked as part of the whole project. Mr. Travalini did not walk on the single family lot and expressed that the line needs to be looked at and inspected. Mr. Travalini reiterated that this project must be treated as a separate project. The Commission discussed about the allowed disturbance up to 5000 Sq. Ft. under the original proposed subdivision and that this could possibly exceed the 5,000 sq ft limit under the WPA and local Bylaw. CONCOM members reiterated that this property is allowed for one 5000 Sq. Ft. alteration of wetland resource and that it will not approve of a separate limited area for the proposed project. Commission expressed that Mr. Einis had already used the 5000 Sq. Ft. alteration allowed under the law. Mr. Lucas and Mr. Spink reiterated that the project has not exceeded the 5000 Sq. Ft. and therefore his client could apply to alter up to 5,000 sq ft. Mr. Lucas urged Ms. Graziano to contact MassDEP to verify whether the wetland line present in the approved Order of Conditions is considered approved for the purposes of the proposed project. Mr. Biocchi said the commission needs to go and inspect the wetland line for the new project. The forced main project is being proposed as a limited project. Mr. McKay enquired about the extent of disturbance in the proposed project. Mr. Ford reported that it would a little under 1500 Sq. Ft. Mr. Ford explained to the Commission the details of the proposed project. There is the existing 1000 gallon septic tank, an old pit that will be abandoned, and a gravity line that will be run to the e-one pump system. This system will tie into the existing sewer line on Narragansett Street. A small excavator will be used to dig the trench. There will be 18.5 linear ft. of bank impacts along the intermittent stream and the bank will be restored. Restoration plan will be submitted to the commission. Mr. Spink reported that the planning board did not sign the special order of conditions. Commission members and Ms. Graziano asked the project proponent to research and analyze if there other options/ alternatives to complete this project. They asked that evidence must be made available to the Commission that there is no better alternative available to complete the project other than the one that is

being presented to the commission. Mr. Spink reported that the lot has been re-configured into a different shaped lot. It is part of the plan of land and part of sub-division which is not part of the special permit. Commission members reiterated again that the lot on which the project is being proposed should be registered as a separate lot and that the commission will make a site visit to walk the line and make a determination. A site visit has been scheduled for June 25th at 5:30 P.M.

Motion made by Mr. Travalini to continue the 257 Village Street (DEP File # 216-832) to the June 26, 2014 meeting, seconded by Ms. Biocchi. Unanimous.

Continued Notice of Intent – 157 Main Street (DEP File # 216-836) - Ms. Graziano reported that the hearing was closed pending the storm water management and operations and maintenance plans. A revised plan is expected to be submitted showing the commission's request. Ms. Graziano submitted the above mentioned plans to the Commission. Mr. Travalini said the only disturbance will be the fill that needs to be pulled out as part of the proposed project. Report shall be submitted to the commission annually.

Motion made by Mr. Travalini to issue an Order of Conditions for DEP File # 216-836, 157 Main Street, seconded by Ms. McKay. Unanimous. Mr. Biocchi abstained.

Continued Abbreviated Notice of Resource Area Delineation - 102 Winthrop Street (DEP File # 216-821) – Ms. Graziano has been working with Mr. Paul DeSimone and Mr. Art Allen to obtain a final plan for the ANRAD. Mr. Allen is working on a list of items that shall be presented to the commission. A site visit will be scheduled by Ms. Graziano and Mr. Allen will eventually present the final report to the commission.

Motion made by Mr. Travalini to continue the 102 Winthrop Street (DEP File # 216-821) to the June 26, 2014 meeting, seconded by Ms. Biocchi. Unanimous.

Discussion Items:

- 1. Millstone Village Trails – Site Visit:** Ms. Graziano received calls from some of the residents that had concerns with a proposed trail system coming from the Millstone Village sub division through the open space area that would extend to CONCOM controlled land called Iarussi. Because of the wetland system some of the trails may have to come up close to the back property line of the Iarussi sub-division. Ms. Graziano agreed to do a site walk and walked with 10 -15 residents of the sub-division. The open space is under the care and custody of the Conservation Commission. Planning Board is working with the Open Space Committee and with the Millstone developer to work out a parking area and a trail system on the Millstone property. There is some ambiguity about the validity of the old roadway. Ms. Graziano reiterated that it's upon the Conservation Commission to make a determination whether the trail will go through the Irusi Way. It was discussed that the area should be walked to get more clarity with regards to the location of the wetlands.
- 2. Review of possible amendments to wetlands Regulations pertaining to fee structure: Tabled.**
- 3. Agent's Office Hours:** There was discussion about Ms. Graziano's Office Hours after July 1, 2014. She will be working 26 hours/ week. She asked if the Commission will be comfortable if she had posted 10-15 hours for office hours. On full days, Mr. Travalini suggested that the agent work half

time in the office and the rest of the hours in the field. Ms. Graziano will have Thursdays for office hours due to the scheduled CONCOM meetings. On Friday's, Ms. Graziano will have office hours between 7:30 AM– 12:30 P.M. She will be available for afternoon/evening site visits with the Commission on Wednesdays.

4. **Summer Meetings:** The CONCOM meetings will be scheduled on the second and fourth Thursdays of the month through the summer.
5. **Update DEP File # 216-0864 Charles River Pollution Control District Waste Treatment:** Ms. Graziano reported that this is Phase II of the Charles River Pollution Control project. A pre-construction site visit was made by the Agent and the plan was looked at. Based on the field site visit, the erosion control measures were amended. The drainage areas were asked to be cleaned out and to add filter fabric to the catch basin during construction. Another site visit will be made by the agent to ensure that all the conditions have been met. A copy of the Solid Waste Implementation Plan (SWIP) has been requested to monitor project progress.
6. **Alder Street - Possible Violation:** On her visit to 49 Alder Street, Ms. Graziano observed that enormous amount of fill was brought into one of the empty lots adjacent to this property. The fill being brought in is in the buffer zone and the Agent expressed concern about the absence of Medway Bylaw about importing fill. The fill needs to be tested before it is brought in, the town should be concerned about the possibility of contaminated fill being brought into the town. A phone call enquiry to the property owner about the matter. Mr. Biocchi suggested that an Enforcement Order must be issued to the property owner if there is no response to the phone inquiry. Ms. Bosselman's suggestion was to send a certified letter with the violation notice before issuing the Enforcement Order.
7. Ms. Bosselman was asked to be on the Open Space Committee. She asked CONCOM members if it was allowed and appropriate to be a representative of the committee.
8. There was some discussion about the amphitheater project. Ms. Graziano suggested that it is appropriate to issue a General Order of Conditions for the land improvements and maintenance. As part of the order the various phases of the project will be reported to the agent any needed improvements will be suggested. Eventually a final report will be produced with all the phases of the work recorded including the recommendations by the commission. Burning activity will be allowed early in the season (March – May).
9. **Fees:** Ms. Graziano reported that the commission was asked to come up with a fee structure since \$11,000 had been added from the WPA fund to cover the Agent's salary. She maintains an excel spreadsheet that includes the revenue earned by the Commission through the fee plus the monies received from the town of Medway to add to the CONCOM fund. These amounts are shown for every fiscal year. For an RDA, \$75.00 was suggested towards the fee. Commission discussed the fee structure from the neighboring communities (A comprehensive table with the fee structure for various communities was presented to the members). As a first cut, members decided to have \$200 as comprehensive fee (all projects that do not fit the criteria required to qualify for the basic fee shall be charged the Comprehensive Fee amount). Members discussed Sherborn's CONCOM fee structure. Sherborn follows state categories instead of sq. ft. of alteration. Decision has to be made

on the fee structure for Medway. Members commented that Sherborn fee structure is on the higher side.

Commission decided on the following amounts for various categories. The definition of the categories are available in Appendix A of the Sherborn CONCOM filing fee calculation sheet.

Category I: \$250

Category II: \$1000

Category III: \$2000

Category IV: \$3000

Category V: \$1500

ANRAD: \$1/ linear foot with a minimum of \$200 and maximum of \$2000

Certificate of Compliance: \$75.

Public Hearing on the fee structure will be drafted by Ms. Graziano.

**Motion made by Mr. McKay to adjourn meeting, seconded by Ms. Bosselman @ 9:47 P.M.
Unanimous.**

Respectfully submitted,

Sree Allam
Night Secretary

Documents Presented at the June 12, 2014 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Public Hearings

257 Village Street

- Plan titled, “E-One Pump Design 257 Village Street Medway, Massachusetts”, dated November 4, 2013. Revised June 2, 2014 by Spink Design

157 Main Street

- Plan titled, “Site Plan of Land in Medway, Mass” dated April 24, 2014 revised 5/21/14 & 5/30/14 By Sullivan Surveying Company, LLC
- Document titled, “Stormwater Management Report-157 Main Street, Medway, MA”, dated May 22, 2014 revised May 30, 2014

Discussions

Possible Amendments to the Medway Regulations

- Local Towns Fee matrix
- Draft fee structure for regulations