



MEDWAY CONSERVATION COMMISSION MEETING

Sanford Hall, Town Hall

155 Village Street, Medway, MA 02053

7:30 P.M.

Minutes

June 25th, 2015

The Medway Conservation Commission (CONCOM) held its regularly scheduled meeting on June 25th, 2015 at Sanford Hall. In attendance were members Dave Travalini, Ken McKay, Scott Salvucci, Conservation Commission Agent Bridget Graziano, and Sreelatha Allam, Night Board Secretary

Discussions

- Call to order at 7:34 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.
- Mr. Travalini requested to add the discussion on Mr. Jim Wheeler's email regarding Town of Medway Master Plan.

Motion made by Mr. Travalini to add the discussion item to review the email from Medway Master Plan Committee, seconded by Mr. Salvucci. Unanimous.

Request for Determination of Applicability-

- **Village Street Drainage work- Proposal for upgrade of existing storm water management for village street-** Mr. Steve Bouley from Tetra Tech was present at the meeting to present the request for the installation of new drainage structure for water quality improvements at two locations. He represented Medway Department of Public Services (DPS). A plan was submitted with the Request of Determination of Applicability to the Commission. The proposal consists of the installation of two catch basins with discharge points to wetlands, rip rap will be added to reduce water velocity. A site visit was conducted by CONCOM Agent and others on May 25, 2015. Ms. Graziano stated that the proposed project will not have a negative impact on the wetlands. A small amount of vegetation (mostly invasive plants) should be removed as part of the project. First location of the proposed work is close to Bellingham town line and the second location 2 between Franklin Street and High Street.

Motion made by Mr. Travalini to issue a positive 2B & 5, negative 3 determination of applicability for DEP# 216-0840 with the conditions referenced on the application summary

issued by the Medway CONCOM agent with the additional conditions that ends of the pipes closest to the road be either flared-ins or head walls. The motion was seconded by Mr. Salvucci and it was voted to approve 3-0.

Request for Certificate of Compliance-

- **12R Fisher Street – DEP File # 216-0654 Construction of sub-division road and storm water management plan-** CONCOM requested the property owners of 12R Fisher Street to remove trees and vegetation from the rip-rap areas, that vortex be cleaned of sediment, catch basins be swapped. CONCOM Agent, Ms. Graziano stated that the requested work has been completed. **Motion made by Mr. Travalini to issue a certificate of compliance for DEP# 216-0654. The motion was seconded by Mr. Salvucci and it was voted to approve 3-0.**

Public Hearings

Continued Notice of Intent (4/23/15, 5/28/15)-13 & 15A Fisher Street Map 45 Lot 039/041: The Haven Subdivision (DEP# 216-0847)-

Motion made by Mr. Travalini to continue 13 & 15A Fisher Street Map 45 Lot 039/041 (DEP# 216-0847) to July 9, 2015 CONCOM meeting at 7:45P.M.. The motion was seconded by Mr. Salvucci and it was voted to approve 3-0.

Continued (3/26/15, 4/9/15, 4/23/15, 5/14/15) Notice of Intent- Kelley Street Map 49 Lot 32 (DEP# 216-0846) –

Mr. JP Conley from Andrews Survey and Engineering, Inc. was present to represent the applicant. He would be available to address comments and concerns from CONCOM that were discussed during the public hearing on June 11, 2015. Mr. Conley stated that the revised plans added the locations of the proposed bounds, in the locations discussed at the hearing on June 11, 2015. He stated that the Commission's request to provide additional information regarding the stabilization of the existing stream within the proposed concrete culvert has been addressed. The revised plan includes modified construction sequence. The intent is to stabilize the existing stream bed prior to constructing the footing for the reinforced concrete culvert. The interior of the culvert will be backfilled manually by placing gravel in the excavated area. He stated that the banks will not be disturbed. Mr. Salvucci asked about erosion control blankets to stabilize vegetation since the proposed work will disturb areas along the banks. Mr. Conley stated the area will be loamed and seeded.

Motion made by Mr. Travalini to close the hearing for Kelley Street DEP# 216-0846. The motion was, seconded by Mr. Salvucci and it was voted to approve 3-0.

Continued Abbreviated Notice of Resource Area Delineation (5/28/15) - Exelon 9 Summer Street and 34 West Street (DEP # 216-0849)-

Motion made by Mr. Travalini to continue (DEP# 216-849) to July 9, 2015 CONCOM meeting at 7:45PM at the request of the applicant. The motion was seconded by Mr. Salvucci and voted to approve 3-0.

Continued Notice of Intent (5/28/15)- 257 Village Street (DEP# 216-832) Proposal to install an e-one pump unit, force main, and sewer manhole structure – Since the scope is expanded, notification will be sent out to the abutters and

Motion made by Mr. Travalini to continue (DEP# 216-832) to July 23, 2015 CONCOM meeting at 7:45PM at the request of the applicant. The motion was seconded by Mr. Salvucci and voted to approve 3-0.

Discussions

Discussion #1- Request for amendment to the order of conditions (DEP# 216-0818) for Village Street Drainage Improvements – Brundage Corner- Mr.

Steve Bouley from Tetra Tech was present to represent the DPS where he discussed the request to amend the Order of Conditions DEP 216-0818 with the Commission. The previously approved original Order of Conditions included the replacement of an existing culvert headwall and existing drainage infrastructure. Due to issues acquiring access easements from the abutting property owners, the headwall is not able to be replaced as previously approved. Therefore, a new plan has been developed which proposes to repair the existing field stone wall will be repaired. The proposed drainage infrastructure will be re-routed to the downstream side of the culvert. In the new proposal, catch basins with drop inlets with 2ft. sumps will be built. Drainage will be discharged to the downstream end of the culvert. Mr. Salvucci suggested that the end of the pipe should be flared. Mr. Travalini suggested that the drop inlets be cleaned at frequent intervals because the catch basin is shallow (2 feet) compared to the regular 4 feet. He asked that a short (one page) Operations and Maintenance Plan be prepared and submitted to the Commission. It was agreed that an annual report will be submitted to the Agent indicating that cleaning of inlets have occurred twice during the year. Report must include the days and times the inspections were made.

Motion made by Mr. Travalini to issue an amendment to the order of conditions DEP# 216-0818 as per revised plans with the additional condition that a one page O&M plan be provided with maintenance for the catch basins and two drop inlets. A written report must be submitted to CONCOM every year indicating that the drop inlets have been cleaned. The following conditions have been amended:

- **Amend condition 26- replace straw wattles with compost socks**
- **Amend condition 38- the applicant shall use siltation curtains to prevent sedimentation from construction downstream**

- Amend condition 39- no use of siltation fencing within sensitive area as prescribed by the Agent and/or the Commission
- Add condition 40- this order does not approve any fill, alterations or dredging of BVW's under 310 CMR 10.55, seconded by Salvucci. Unanimous.

Discussion #2- Reconstruction of Route 109 (DEP# 216-0848) Proposal to expand existing roadway with wetlands replication- CONCOM Agent, Ms. Graziano stated that only wetland flags 203-207 are approved under this order of conditions. The other flags are not approved at this time since they conflict with another abutting project. There was discussion about making amendments to the conditions that were submitted to the Commission for their review.

Motion made by Mr. Travalini to approved the proposed project under the DEP# 216-0848:

The Commission hereby finds that the work proposed for construction of intersection improvements, drainage improvements including a bio-retention area and wetlands replication for loss of wetland resource due to roadway improvements (includes some grading) within Bordering Land subject to flooding, bordering vegetated wetlands and riverfront (0-200'), during the public hearing process the applicant has presented evidence sufficient to demonstrate that the proposed activity shall have no impact on this wetland resource and meets the provisions under 310 CMR 10.05 (6) (b-k), 310 CMR 10.57(4), 310 CMR 10.58 (4) and Medway General Bylaw Article XXI Regulations and the performance standards under Section 3.03 bordering land subject to flooding, and Section 4 and that this project is considered a limited project under 310 CMR 10.53 (3)(f). It was noted that all conditions of this order must be met in order to meet the above mentioned provisions. The Commission additionally finds that the work must be conditioned to protect all interests of MA Wetlands Protection Act and the Medway General Wetlands Protection Bylaw; additionally, the Medway CONCOM finds that the following conditions are necessary in order to protect the wetland resource for the duration of this proposed project. The Commission orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced in the Special Conditions, section of this order. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control; and that Commission has only approved wetland flags 203-207 under this order of conditions. The motion was seconded by Mr. Salvucci and was voted to approve 3-0.

Discussion#3- 25 Jayar Road (DEP# 216-0850)- Proposal to construct a 5000 s.f. Commercial Building with associated storm water management system- Ms. Graziano stated that the Order of conditions have been revised based on comments from CONCOM Chairman, Mr. Travalini.

Motion made by Mr. Travalini to approved the proposed project under the DEP# 216-0850, Statement and Vote:

- The lot consists of an old degraded parking lot and some forested areas within BVW's with an associated 100' buffer zone under the Medway General Bylaw Article XXI. The Commission voted accept the proposed development be considered re-development under the storm water

management standards based on field visits noting the area to be impervious (long term compaction of old asphalt and other materials) and NRCS soils mapping noting portion of the lot as urbanized soils. The Commission considers this proposal an overall improvement of the current condition of the site and the applicant has met the requirements to the maximum extent practicable.

- Additionally, the Commission has agreed to waive the depth to groundwater requirement minimum depth of 2' for separation for the recharge system (under standard #3) due to site constraints and use of oil/grit separator instead of the required alternative treatment options for lands designated critical area under Standard #6. Again the Commission considers this an overall improvement of the existing conditions as it relates to storm water drainage and groundwater protection. Additionally, the Commission agreed to waiver the 25'; no disturb set back and the 75' no build setback for areas located within a Zone II, groundwater overlay district or an ACEC as requested in the letter from the applicant's representative, David Faist, dated June8, 2015.

Findings:

- Submitted documents consist of (a) NOI application- by Faist Engineering, received by CONCOM on May 14, 2015, (b) site plan titled, " Site Plan 25 Jayar Road 5000Sq. Ft. Commercial Building, Medway, MA" by Faist Engineering dated October 16, 2014, revised 12/22/2014, 5/12/2015. 6/8/2015, (c) Storm water report site plan 25 Jayar Road 5000 Sq. Ft. Commercial Building John's Auto Body, Medway, MA, dated October 20, 2014 revised May 12, 2015, (d) "Construction Period Erosion and Sediment control storm water pollution prevention plan by Faist Engineering", dated June 2015, (e) "Storm water management system long term operations and maintenance plan" by Faist Engineering, dated June 2015.
- The Commission hereby finds that the work proposed for construction of new accessory building for the operations of John Auto Body, sand filter for metal roof, storm water management system within 100' of a BVW, land under high potential pollutant load and Zone II, during the public hearing process the applicant has presented evidence sufficient to demonstrate that the proposed activity shall have no impact on this wetlands resource and meets the provisions under 310 CMR 10.02 (2)(b) and (3) and 310 CMR 10.05 (6) (k-q), and Medway General Bylaw Article XXI regulations and performance standards under section 5. It was noted that all conditions of this Order must be met in order to meet the above mentioned provisions. The Commission additionally finds that the work must be conditioned to protect all interests of the MA wetlands protection act and the Medway General Wetlands Protection Bylaw.

Additionally, the Medway CONCOM finds that the following conditions are necessary in order to protect the wetland resource for the duration of this proposed project. The Commission orders that all work shall be performed in accordance with said conditions with the NOI referenced in the Special Conditions, section of this Order. To the extent that the following conditions modify or differ from the

plans, specifications or other proposals submitted with the NOI, the conditions shall control. The motion was seconded by Mr. Salvucci and was voted to approve 3-0.

Discussion #4- 27 Charles Street (DEP# 216-0853) - construction pool, addition, deck within the riverfront area and bordering vegetated wetland- Ms. Graziano stated that Mr. Travalini's comments on the submitted Order of Conditions have been addressed.

Motion made by Mr. Travalini to approved the proposed project for 27 Charles Street under the DEP# 216-0853:

- **The Commission hereby finds that the work proposed finds that the work proposed for demolition of the existing single family home and then the construction of an new single family dwelling, new decks and porches, expansion of driveway (gravel only), storm water improvements (cultic chambers and infiltration swale), mitigation in the form of improvements for wildlife, riverfront area, and buffer zone, was presented at a public hearing where the applicant has presented evidence sufficient to demonstrate that the proposed activity shall have no impact on this wetlands resource and meets the provisions under 310 CMR 10.02 (2)(b) & (3), 310 CMR 10.05(4), and 310 CMR 10.57(4)(a) 1, 2, 3, 310 CMR10.58 (4) and Medway General Bylaw Article XXI Regulations and the performance standards under Section 3.04 and 5. Additionally, the applicant demonstrated that the proposed work within the 0-100' of the Riverfront Area will be mitigated for in the form of native plantings and invasive species removal to meet performance standards under 310 CMR 10.5.**
- **It was noted that all conditions of this Order must be met in order to meet the above mentioned provisions. The Commission additionally finds that the work must be conditioned to protect all interests of the MA Wetlands Protection Act and the Medway General Wetlands Protection Bylaw.**
- **Additionally, the Medway Conservation Commission finds that the following conditions are necessary in order to protect the wetland resource for the duration of this proposed project. The Commission orders that all work shall be performed in accordance with said conditions and with the Notice of Intent referenced in the Special Conditions, section of this Order. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the Notice of Intent, the conditions shall control. The motion was seconded by Mr. McKay and was voted to approve 3-0.**

Discussion#5- Tri-Valley Commons- 72 Main Street (DEP# 216-0852)- Proposal to construct three commercial buildings with associated parking lot, utilities, landscaping and storm water management system- A copy of the order of conditions was submitted to the Commission. Members went through the conditions and made changes to some conditions. In Condition 64a, "Roadway" is replaced by "Parking Lot.". In Condition 94, "hay bales" should be replaced by "straw bales."

Motion made by Mr. Travalini to approved the proposed project under the DEP# 216-0852 with the following conditions:

- **The Commission hereby finds that the work proposed for construction of new commercial development with associated parking, landscaping, utilities, and storm water management system within 100' BVW during the public hearing process the applicant has presented evidence sufficient to demonstrate that the proposed activity shall have no impact on this wetlands resource and meets the provisions under 310 CMR 10.02 (2)(b) and (3) and 310 CMR 10.05 (6) (k-q), and Medway General Bylaw Article XXI regulations and performance standards under Section#5. It was noted that all conditions of this Order must be met in order to meet the above mentioned provisions. The Commission additionally finds that the work must be conditioned to protect all interests of MA Wetlands Protection Act and the Medway General Wetlands Protection Bylaw.**
- **Additionally, the Medway CONCOM finds that the following conditions are necessary in order to protect the wetland resource for the duration of this proposed project. The Commission orders that all work shall be performed in accordance with said conditions and with the NOI referenced in the Special Conditions section of this Order. To the extent that the following conditions modify or differ from the plans, specifications or other proposals submitted with the NOI, the conditions shall control. The motion was seconded by Mr. Salvucci and was voted to approve 3-0.**

Discussion #6 – Vote to Agent increase in (9) hours per week (35 total hours) additional for Agent from the Wetlands Protection AC Fund- met with selectman-

Motion made by Mr. Travalini to approve and authorize Town of Medway to utilize up to \$23,000 from Wetlands Protection Bylaw fund account to increase the Conservation Agent position working hours to 38 hours per week, for State Fiscal Year 2016. The motion was seconded by Mr. Salvucci and was voted to approve 3-0.

Discussion #7- Review of ANRAD process (general/related to permitting) – There was discussion on the ANRAD process. At the June 11, 2015 CONCOM meeting there was a discussion on the question whether CONCOM can require an ANRAD filing applicant to have all wetland resources delineated on the site. The Agent stated that CONCOM cannot ask the applicant to delineate all the wetland lines. She said the Commission could debate between intermittent and perennial streams under the ANRAD but cannot force the applicant to delineate all the wetland lines on a parcel, if the applicant does not want to. CONCOM Chairman, Mr. Travalini stated that based on the type of the proposed project, it is reasonable for CONCOM to ask the applicant to delineate all the lines be it wetlands, vernal pools, and/or intermittent pools. The entire ANRAD will be deemed inaccurate if all the necessary lines are not delineated. This approach will give CONCOM better tools to guide the applicant in successfully implementing the project. Mr. Snow expressed similar thoughts at the June 11, 2015 meeting. Ms. Graziano said the ANRAD is meant to inform the developers about the presence of wetlands/vernal pools/intermittent streams that might affect the progress of the project. Mr. McKay stated that the applicants cannot be forced to delineate all the lines if it does not result in adversely impacting the wetlands.

Discussion #8- Review of email from the Town of Medway Master Plan Committee- Mr. Travalini and the Agent, Ms. Graziano received an email from Jim Wieler of the Medway Master Plan Committee. The letter includes four action items/ goals (provided below):

- Increased Visibility and public access to Conservation Land as appropriate through signs and parking;
- Establish additional Conservation land to protect water shed vegetation and wild life;
- Expand GIS system to provide access to computer network and multiple Boards and Departments;
- Document any encroachment on town owned lands and notify abutters

Committee requested CONCOM to show how the Commission is working towards achieving the above goals. Mr. Travalini stated that a response should be drafted to Mr. Wheeler informing that CONCOM's comments will be provided in October/November 2015 because of a very busy schedule.

Additional Discussion added as a request: Tony Biocchi was present at the meeting to inform the Commission on the status of DEP# 216-711. Mr. Biocchi stated that the super ceding order for DEP# 216-711 is valid until August 2015. Due to some illegal dumping activity, a fence has been built. That fence has been knocked down. Mr. Biocchi will be working on cleaning the area and convert into a camp. A recreational vehicle will be brought into the area. Ms. Graziano asked Mr. Biocchi to file for an extension/amendment by July 23, 2015 since the current Order of Conditions will expire August.

Motion made by Mr. McKay to adjourn the meeting, seconded by Mr. Salvucci @ 10:00 P.M. Unanimous.

Respectfully submitted,

Sreelatha Allam
Minutes Clerk

Documents Presented at the June 25, 2015 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Village Street Drainage work- Proposal for upgrade of existing storm water management for Village Street

- Copy of the order of conditions.
- Copy of Application Summary.
- Copies of the WPA1 Form 1
- Copy of the plan

12R Fisher Street – DEP File # 216-0654 Construction of sub-division road and storm water management plan-

- Item is a continuance. No new material was presented at the meeting.

Continued (3/26/15, 4/9/15, 4/23/15, 5/14/15) Notice of Intent- Kelley Street Map 49 Lot 32 (DEP# 216-0846)-

- Copy of a letter from Andrews Survey & Engineering, Inc. addressing the comments and concerns from CONCOM
- Copy of the application summary.
- Copy of the proposed plan.

Discussion #1- Request for amendment to the order of conditions (DEP# 216-0818) for Village Street Drainage Improvements – Brundage Corner -

- Copy of Tetra Tech letter with the reason for modification of the existing order of conditions.
- Copy of revised plan showing the modification.

Discussion #2- Reconstruction of Route 109 (DEP# 216-0848) Proposal to expand existing roadway with wetlands replication –

- Copy of the order of conditions.

Discussion #3- Notice of Intent John Solari – 25 Javar Road (DEP# 216-0850) - Proposal to construct a 5000Sq.ft. Commercial Building with associated storm water management system-

- Copy of the order of conditions- Part II (Findings and Conditions under Medway General Wetlands Protection Bylaw).

Discussion#5- Tri-Valley Commons- 72 Main Street (DEP# 216-0852) Proposal to construct three commercial buildings with associated parking lot, utilities, landscaping and storm water management system-

- Copy of the order of conditions with 130 conditions included.

Vote to Agent increase in (9) hours per week (35 total hours) additional for Agent from the Wetlands Protection AC Fund-

- Copy of CONCOM memo to the Medway Board of Selectman.