

Town of Westwood
Commonwealth of Massachusetts

Todd Sullivan – Vice Chair
Vesna Maneva
Debra Odeh
Grace Weller
R. J. Sheer
Elias Fares



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CONSERVATION COMMISSION

Minutes: Conservation Commission Meeting Date: September 13, 2023 at 7:00 p.m.
Location: Champagne Meeting Room, 50 Carby Street, Westwood, MA

7:00 p.m. Call to Order

The Conservation Commission meeting of September 13, 2023 was called to order at 7:00 p.m. in the Champagne Meeting Room, 50 Carby Street, with the following members present: Grace Weller, Debra Odeh, Todd Sullivan R.J. Sheer and Elias Fares. Member Vesna Maneva is absent. Also present is Karon Skinner Catrone, Conservation Agent.

Mr. Sullivan announces this meeting is being recorded.

Action Items:

1. 125 Conant Road – DEP #338-0672 – Request for Minor Modification – Malone – Ms. Catrone explains the owner submitted a request for Certificate of Compliance but the permanent wetland boundary markers were not installed. The owner is requesting a minor modification to install the markers on the fence at the ten foot buffer. Mr. Malone states the fence was in this location when he purchased the property. He removed invasive plants and replaced the fence. He is requesting a minor modification to put permanent wetland markers on the fence with plantings in front, instead of as approved in the yard.

Mr. Sullivan states the permanent wetland markers should be placed in front of a mulch bed, with native plantings, no less than 10 feet from the wetland line.

Motion made by Mr. Sullivan, seconded by Ms. Weller, to approve this change as a minor modification with the condition the permanent wetland markers are placed in front of the mulch bed, with native plantings, not less than 10 feet from the wetland line. Unanimous.

2. 375 Nahatan Street – DEP #338-0671 – Request for Minor Modification – Musto – Ms. Catrone states that this request has been withdrawn.

3. Blue Hill Drive – DEP #338-0750/DEP #338-0751 – Request for Minor Modification - Petrozzi – Present is Lou Petrozzi requesting a minor modification to relocate a water line that was discovered running through the middle of lot 1 and lot 2 Blue Hill Drive. He states we will have to go into the 35 foot no disturb zone or go through Dedham. Steve Locke of Dedham/Westwood Water District (DWWD) is present and states DWWD would prefer the line go through Dedham.

Motion made by Mr. Sheer, seconded by Ms. Weller, to approve the request for minor modification for DEP #338-0750 and DEP #338-0751 with the condition the applicant use best effort to relocate the water line through Dedham. Unanimous.

4. 3, 6, 9 Recess Way – DEP #338-0711 – Request for Extension – Joyce – The applicant is requesting a one-year extension to the Order of Conditions. This Order approved the construction of three (3) houses. One (1) house remains to be constructed.

Motion made by Ms. Weller, seconded by Mr. Sheer, to approve a one-year extension to Order of Conditions DEP file #338-0711. Unanimous.

5. 50 Pleasant Valley Road – DEP #338-0703 - After-the-fact request for Minor Modification – Melville – Ms. Catrone states the applicant added a covered area to the approved patio area. Only two footings were required. The applicant will show this on the as-built plan when a Certificate of Compliance is requested.

Motion made by Mr. Sheer, seconded by Mr. Sullivan, to approve the change to the approved plan, which include a roof and two footings, for DEP #338-0703 as a minor modification, with the condition this change is shown on the as-built plan. Unanimous.

Public Hearings

0 High Street – Notice of Intent – DEP # 338-0758 – Town of Westwood

Cemetery expansion – Continued from 7/26/23

The Commission opened the public hearing and reviewed copies of the Notice of Intent (NOI) for 0 High Street, including the following:

1. DEP form 3 Notice of Intent submitted on July 12, 2023 by Brendan Ryan, Town of Westwood, including forty-two (42) pages;
2. Plan – “Phase II EXPANSION AT NEW WESTWOOD CEMETERY OFF HIGH STREET WESTWOOD, MASSACHUSETTS”, dated July 12, 2023, submitted by BSC Group, 803 Summer Street, Boston, MA 02127, including twelve (12) sheets;

Present are David Crispin and Kyle Merchant, of BSC Group, and Tom Daley of the Cemetery Commission, representing the town of Westwood. Also present is Brendan Ryan of Town of Westwood DPW.

Mr. Crispin states the proposed cemetery expansion includes adding an additional 1,200 graves, a new access road, concrete patio, creation of garden area, updating utilities and adding a new recharge system over a 2-acre area. The recharge systems include deep sump catch basins and Cultec (or equal) chamber recharge trenches (with isolator rows for TSS removal) as prescribed by the DEP Stormwater Manual. The proposed project has been designed to comply with the Massachusetts Wetland Protection Act (310 CMR 10.00) regulations, the Department of Environmental Protection’s Stormwater Management Standards as well as local standards and bylaws. The project relies on Low Impact Designs (LID) to use no curbing on driveways. This allows minor precipitation to infiltrate into the shoulders of the driveways to the greatest extent possible. The fact that 87% of the site is lawn or woods further reduces runoff. The work is 75’ from the wetland line. Twenty-four (24) lawn crisps will be installed along the slope. The foundation for the nitch wall will be installed but the wall will not be constructed at this time. There is a low area in the center of the area to be constructed as graves. The drainage from that area will be piped to the infiltration area.

Mr. Fares states this project requires a lot of tree removal.

Mr. Ryan states our goal is to preserve as many trees as possible but this space is needed for graves.

Mr. David states the law requires graves are provided for the residents.

Mr. Sullivan states Mr. Fares would like you to do your best to save as many trees as possible.

Motion made by Mr. Sheer, seconded by Mr. Sullivan, to close the hearing for 0 High Street. Unanimous.

Motion made by Mr. Sheer, seconded by Mr. Sullivan, to issue an Order of Conditions for 0 High Street with the condition as many trees as possible remain on the site. Mr. Fares abstains. Vote passes 4 to 1.

Mr. Sullivan recuses himself from the next hearing and leaves the room.

0 High Street – Notice of Intent (Bylaw only) – # 338-0760 - Sullivan

Cemetery Maintenance Shed

The Commission opened the public hearing and reviewed copies of the Notice of Intent (NOI) for 0 High Street, including the following:

1. DEP form 3 Notice of Intent submitted on August 16, 2023 by Kristine Meaney of Site Design Professionals, One Merchant Street, Suite 110, Sharon, MA 02067, including fifteen (15) pages;
2. Plan – “CEMETERY MAINTENANCE SHED SITE GRADING UTILITIES & EROSION AND SEDIMENT CONTROL PLAN HIGH STREET IN WESTWOOD, MA”, dated May 18, 2023, last revised August 14, 2023, submitted by Site Design Professionals.

Present is Kristine Meaney of Site Design Professionals, One Merchant Street, Suite 110, Sharon, MA.

Ms. Meaney states the applicant is proposing the construction of a new replacement Town of Westwood cemetery maintenance shed including municipal utility connections and a stormwater management system. The building is two stories. A new driveway is proposed. The infiltration system will recharge one (1) inch of runoff. Equipment will be stored on the second floor. This shed is slightly larger then the existing shed. The beehive grate in front of the property will be replaced with a flat grate.

Motion made by Ms. Weller, seconded by Ms. Odeh to close the hearing. Unanimous.

Motion made by Mr. Sheer, seconded by Mr. Fares, to approve the project with the following conditions:

A compost sock and orange construction fence must be installed and inspected prior to start of work, an agent of the town must observe the excavated area for the infiltration system for soil texture and seasonal high groundwater and observe the system prior to backfill, the infiltration system/s must be inspected once a year and a report submitted to the Conservation Office prior to May 30 each year and all impervious surfaces must be kept clean throughout the duration of the project. Unanimous.

Mr. Sullivan returns to the meeting.

576 Dover Road – RDA - Maloney

Tree removal

The Commission opened the public hearing and reviewed copies of the Request for Determination (RDA) for 576 Dover Road, including the following:

1. DEP form 1 Request for Determination of Applicability submitted on July 16, 2023 by Robert J. Maloney, including eleven (11) pages;
2. Plan – GIS plan, including one (1) sheet;

Present are Robert and Joanne Maloney, owners of 576 Dover Road.

Mr. Maloney states he would like to remove 10 trees that are unhealthy or leaning over the house.

Mr. Sullivan states Ms. Catrone and I went out to the site and found these trees to be threat trees. He requests that the owner leave the stumps.

Ms. Catrone shows the Commission pictures of the trees.

Ms. Odeh agrees this looks like a safety issue.

Motion made by Ms. Weller, seconded by Mr. Sullivan to close the hearing. Unanimous.

Motion made by Mr. Sheer, seconded by Ms. Odeh, to issue a negative determination #3 to allow the owner to remove 10 trees as shown on the GIS plan with the condition a few snags remain and the stumps remain. Unanimous.

Mr. Sheer leaves the meeting.

121 Country Lane – RDA- Cebo

Tree removal

The Commission opened the public hearing and reviewed copies of the Request for Determination (RDA) for 121 Country Lane, including the following:

1. DEP form 1 Request for Determination of Applicability submitted on July 16, 2023 by Fran Cebo, including five (5) pages;
2. Plan – “121 COUNTRY LANE PROPOSED SECOND FLOOR ADDITION PLAN OF LAND IN WESTWOOD, MA”, dated November 20, 2023, drawn by Colonial Engineering, Inc. P.O. Box 95 Medway, MA 02053 including one (1) sheet;

Present is Fran Cebo of Plum Tree Custom Homes.

Mr. Cebo states he would like to remove 7 trees that are hanging over the house. The trees are unhealthy and being strangled by Bittersweet.

Mr. Fares requests the stumps remain.

Motion made by Ms. Odeh, seconded by Ms. Weller to close the hearing. Unanimous.

Motion made by Ms. Weller, seconded by Mr. Fares, to issue a negative determination #3 to allow the owner to remove 7 trees as shown on the plan titled “121 COUNTRY LANE PROPOSED SECOND FLOOR ADDITION PLAN OF LAND IN WESTWOOD, MA”, dated November 20, 2023. Unanimous.

200 Nahatan Street – RDA- Town of Westwood

Solar Carport

The Commission opened the public hearing and reviewed copies of the Request for Determination (RDA) for 200 Nahatan Street, including the following:

1. DEP form 1 Request for Determination of Applicability submitted on July 26, 2023 by Ameresco 200 Nahatan Street Solar 2, LLC, including twelve (12) pages;
2. Plan – “WESTWOOD HIGH SCHOOL CARPORT SOLAR DEVELOPMENT”, dated 5/17/23, last Revised 6/2/23, drawn by Weston and Sampson Engineering, Inc., 55 Walkers Brook Drive, Suite 100, Reading, MA 01867, including four (4) sheets;

Present is Nick Granata of Weston and Sampson, Inc. requesting a negative determination for the installation of three (3) solar photovoltaic (PV) carports proposed to cover a portion of the rear parking lot. No parking spaces are proposed to be removed with the installation of the PV carport. An extension to the existing bituminous asphalt walkway is also proposed. The total area of disturbance is less than 500 sq. ft. No trees will need to be removed in association with this project.

Mr. Sullivan asks what happens if the panels are broken.

Mr. Granata states the panels are monitored 24/7 365 days a year and replaced if not working correctly or damaged. Ellen Rowllings of 86 Greenhill states this project was approved by the Planning Board with the condition an Operation and Maintenance plan must be submitted to the Planning Board.

Motion made by Ms. Weller, seconded by Mr. Sullivan to close the hearing. Unanimous.

Motion made by Ms. Weller, seconded by Mr. Sullivan to issue a negative determination #3 with the conditions a compost sock and orange construction fence be installed and the carport system is inspected periodically and after named storms. Unanimous.

22 Everett Street- Notice of Intent DEP #338-0754 – Petruzzello

New development

Motion made by Ms. Weller, seconded by Ms. Odeh, to continue the hearing for 22 Everett Street to September 27, 2023 at 7:00 pm at 50 Carby Street to allow the applicant to get approval from the Planning Board. Unanimous.

44 Salisbury Drive- Notice of Intent DEP #338-0769 – Culgin

Addition

The Commission opened the public hearing and reviewed copies of the Notice of Intent (NOI) for 44 Salisbury Drive, including the following:

1. DEP form 3 Notice of Intent submitted on June 28, 2023 by Russel Waldron of Applied Ecological Sciences of P.O. Box 184, Norfolk, MA 02056, including thirty-four (34) pages;
2. Plan – “PLAN SHOWING PROPOSED ADDITION 44 SALISBURY DRIVE WESTWOOD, MA NORFOLK COUNTY”, dated 6/5/23, submitted By D. O’Brien Land Surveying of 480 West Central Street, Franklin, MA 02038, including one (1) sheet;

Present is Russel Waldron representing Joseph Culgin, owner of 44 Salisbury Drive, requesting an Order of Conditions to construct a 15’.4” x 14’.9” addition to the right side of the existing single-family home. Most of the proposed addition will be construction over an existing impervious area.

Infiltration is shown on the plan and no tree removal is required in association with this project.

Motion made by Ms. Weller, seconded by Mr. Sullivan, to close the hearing. Unanimous.

Motion made by Mr. Sullivan, seconded by Ms. Weller, to issue an Order of Conditions for 44 Salisbury Drive, DEP #338-0769 with the following conditions:

A compost sock and orange construction fence must be installed and inspected prior to start of work, an agent of the town must observe the excavated area for the infiltration system for soil texture and seasonal high groundwater and observe the system prior to backfill, the infiltration system must be inspected once a year and a report submitted to the Conservation Office prior to May 30 each year and all impervious surfaces must be kept clean throughout the duration of the project. Unanimous.

42 Mill Street – Notice of Intent – DEP # 338-0756 - Delapa – Continued to 9/27/23

Dam repair and access road – Continue from 7/12/23

Motion made by Ms. Weller, seconded by Ms. Odeh, to continue the hearing for 42 Mill Street to September 27, 2023 at 7:00 pm at 50 Carby Street to allow BETA to complete their peer review. Unanimous.

906 – 936 Clapboardtree Street – Stormwater – SMP # 099 – Xaverian Brothers High School

Additional parking and demolition of single-family home

The Commission opened the public hearing and reviewed copies of the Stormwater Land Disturbance Application for 906 – 936 Clapboardtree Street, including the following:

1. Land Disturbance Application and associated documents submitted on August 7, 2023 by Connor Ennis of Bohler Engineering, 352 Turnpike Road, 3rd floor, Southborough, MA 01772, including fourteen (14) pages;
2. Plan – “PROPOSED SITE PLAN DOCUMENTS FOR XAVERIAN BROTHERS HIGH SCHOOL PROPOSED PARKING LOT”, last revised 9/15/23, submitted by Bohler Engineering, including eighteen (18) sheets;

Present are Jacob Conca of Xaverian Brothers High School and Eric Dubrule of Bohler Engineering, requesting a Land Disturbance Permit to construct a new 121 parking space parking lot located east of the existing baseball field.

Mr. Conca states the parking lot will be connected to the school and sports fields via the existing sidewalk network on Clapboardtree Street. An additional bay of 54 paved parking spaces has been designed and planned for as it

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relates to earthwork, stormwater runoff rates , treatment and volumes. This project dose not propose to construct this parking lot as part of this application. Xaverian is proposing to install stormwater for both parking lots under this application. He states this project was fully reviewed by BETA. The east side of the project will be green space above the underground infiltration system.

Mr. Sullivan asks about the soils.

Mr. Dubrule states the soils are A soils. It will be a challenge if we hit ledge. The bottom of the infiltration system will be at elevation 113.

Ms. Odeh suggests a pollinator mix be used in the green space area.

Mr. Dubrule states a seed mix is proposed.

Mr. Fares asks about the building that is being removed.

Mr. Dubrule states it is an old single-family home.

Motion made by Ms. Weller, seconded by Ms. Odeh to continue the hearing for 906 – 936 Clapboardtree Street to September 27, 2023 at 50 Carby Street at 7:00 pm to review BETA’s peer review report.

Unanimous.

425 Providence Highway – Stormwater – SMP #102 - Mercedes Benz

Demolish and reconstruct front of building and reconfigure and reconstruct parking lot

The Commission opened the public hearing and reviewed copies of the Stormwater Land Disturbance Application for 425 Providence Highway, including the following:

1. Land Disturbance Application and associated documents submitted on August 18, 2023 by Shan Oates of Independence Engineering of 33 Commercial Street, Raynham, MA 02767;
2. Plan – “SITE DEVELOPMENT PLANS FOR GROUP ONE AUTOMOTIVE – MERCEDES BENZ 425 PROVIDENCE HIGHWAY TOWNS OF WESTWOOD & NORWOOD NORFOLK COUNTY, MASSACHUSETTS 02090 LOT ID:WESTWOOD – MAP 23, LOT 230 & NORWOOD – MAP19, BLOCK 11, LOT 1 & MAP 19, BLOCK 8, LOT4, last revised 08/08/23, submitted by Independence Engineer, LLC, including fifteen (15) sheets;

Present are Shane Oates of Independence Engineering, LLC, requesting a land disturbance permit for the demolition and reconstruction of the front of the existing Mercedes-Benzes dealership. The remaining part of the building will have the façade renovated. The reconstruction portion will have a new footprint and will require the reconfiguration and reconstruction of a portion of the existing parking lot, sidewalk and drive aisles.

Mr. Oates states the completed project will result in a reduction of 2,500 sq. ft. of impervious. This project was reviewed under the Planning Board review and has been approved by the Planning Board.

The Commission agrees they require all proposed plantings to be native.

Motion made by Ms. Weller, seconded by Mr. Sullivan to close the hearing for 425 Providence Highway.

Unanimous.

Motion made by Ms. Weller, seconded by Mr. Sullivan, to issue a Land Disturbance Permit for 425 Providence Highway with the conditions a compost sock is installed and inspected prior to start of work, all impervious surfaces are kept clean and only native plantings are to be planted on the site. Unanimous.

- Minutes to be Approved – February 8, 2023, March 8, 2023, March 22, 2023, April 12, 2023, April 26, 2023, and June 14, 2023.

Motion made by Ms. Odeh, seconded by Mr. Fares, to approve the minutes of March 8, 2023. Unanimous.

Motion made by Ms. Weller, seconded by Mr. Sullivan, to approve the minutes of April 12, 2023.

Unanimous.

Motion made by Mr. Sullivan, seconded by Ms. Odeh, to approve the minutes of April 26, 2023. Unanimous.

Motion made by Ms. Weller, seconded by Mr. Sullivan, to approve the minutes of July 12, 2023. Unanimous.

Motion made by Ms. Weller, seconded by Mr. Sullivan, to approve the minutes of July 26, 2023. Unanimous.

Discussion Items continued:

1. Potential Tree policy/ordinance/bylaw
<https://www.mass.gov/doc/tree-bylaw-and-ordinance-guide/download>
2. Assure Select Board’s awareness of above items, clarify oversight of the Town’s existing conservation lands and discuss potential Conservation Land Management Plan
<https://www.townhall.westwood.ma.us/home/showpublisheddocument/7288/637012120637130000>
3. Commissioners’ observations around town and next scheduled site visits
4. Update on significant projects and other topics not reasonably anticipated

5. Actively make buyers, property owners and realtors aware of WPA, wetland ordinance and stormwater ordinance

Upcoming Meeting: 9/27/23 – in person meeting

Note: Agenda items and order subject to change

Motion made by Mr. Fares, seconded by Ms. Odeh, to adjourn the meeting. Unanimous.