

Karon Catrone

From: A Y <ayudzinsky@gmail.com>
Sent: Tuesday, May 25, 2021 11:15 AM
To: Brian Donahoe; Karon Catrone
Cc: Todd DeMelle; Greg Buckley
Subject: Re: Baker's Pond

Hi Brian,

<https://www.youtube.com/watch?v=-v8zaxl40ek> - this video is of the flooding we now see in the winter. It is the shared driveway after the rain has stopped and the water receded. It used to cover the road, remnants of that water can be seen when I pan away towards where the applicant wants to build. Date of this video is 2020-12-25

<https://www.youtube.com/watch?v=IGee0yLg944> - this video is dated to my neighbor across the baker pond 2020-12-5 and is from the Dam area. The dam had been flooded for over a month at that point and was expelling water at large volumes. I was out there because she stated that the water level across the pond on HER property was starting to sit in the backyard and she was worried it would reach her house (I have her dated messages). On the GIS map, her house sits higher than the applicant's proposed construction site.

<https://www.youtube.com/watch?v=vBgnlkJiRZA> - another shot of the dam on 2020-12-5. No obstruction, it had crossed over the beaver dam at this point.

<https://www.youtube.com/watch?v=a1HIafcpuS0> - this video is from 2020-3-14 . The video is taken at the small outlet for the pond . The problem is that it is no longer a small outlet and between september to April it swells to over 6-15 wide depending on the section, and completely overwhelms the culvert that it's supposed to flow into. In fact it spills up and across that area like a small river, eventually joining the undrawn stream sitting behind the properties at MILLBROOK (Greg's property). Several trees have now fallen due to soggy soil, large mature 40 ft trees.

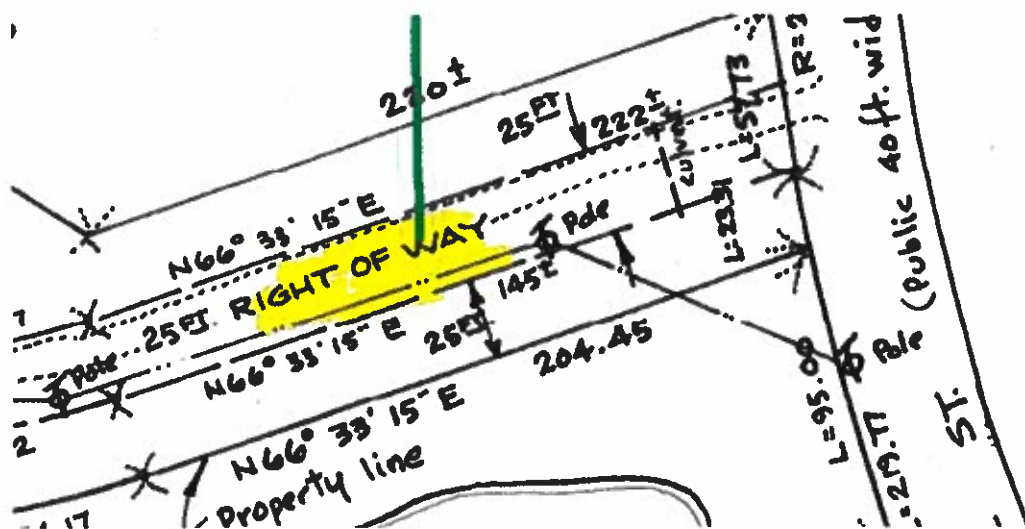
Now for some issues in the plans provided by the applicant and trespass etc...

- (b) The appurtenant right to pass and repass is limited to private passenger automobiles, bicycles and foot passage only; trucks, vans, machinery and such non-private passenger vehicles are restricted to passage for fuel delivery, maintenance and repairs to and construction of a proposed single family residence.
- (c) The appurtenant right to pass over said "right of way" on Lot 2^A requires the grantees to conduct prompt removal of all snow and ice from all pavement and the repair and maintenance of the now existing bituminous concrete pavement, on Lot 2^A, in a reasonable condition for passage as aforesaid of a standard similar to accepted streets and ways in the Town of Westwood.
- (d) No vehicles or bicycles may be left standing or parked at any time on the aforesaid "right of way."
- (e) The appurtenant right conveyed about does not include any rights to lay pipes, change grades, erect structures in, on, over or under the aforesaid "right of way."

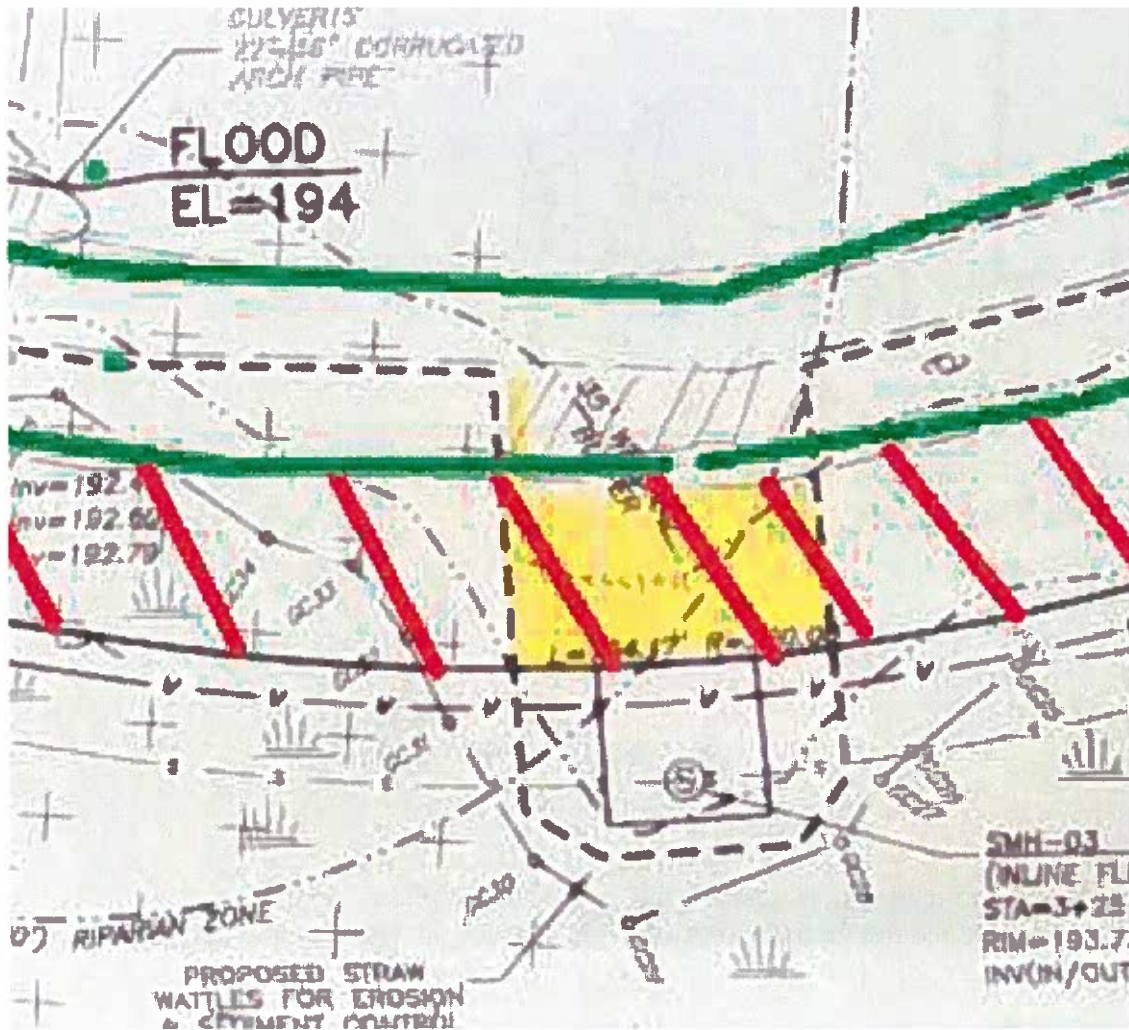
They will have no permission to stop on the road which is part (D), there will be no option to build those temporary structures they're talking about. Part (E) does not allow changing grades erecting structures etc on the right of way. Part (b) is for interpretation, but does not mention excavators to come build temporary structures in the wetland, or to allow them to cross over the right of way.

What is the right of way?

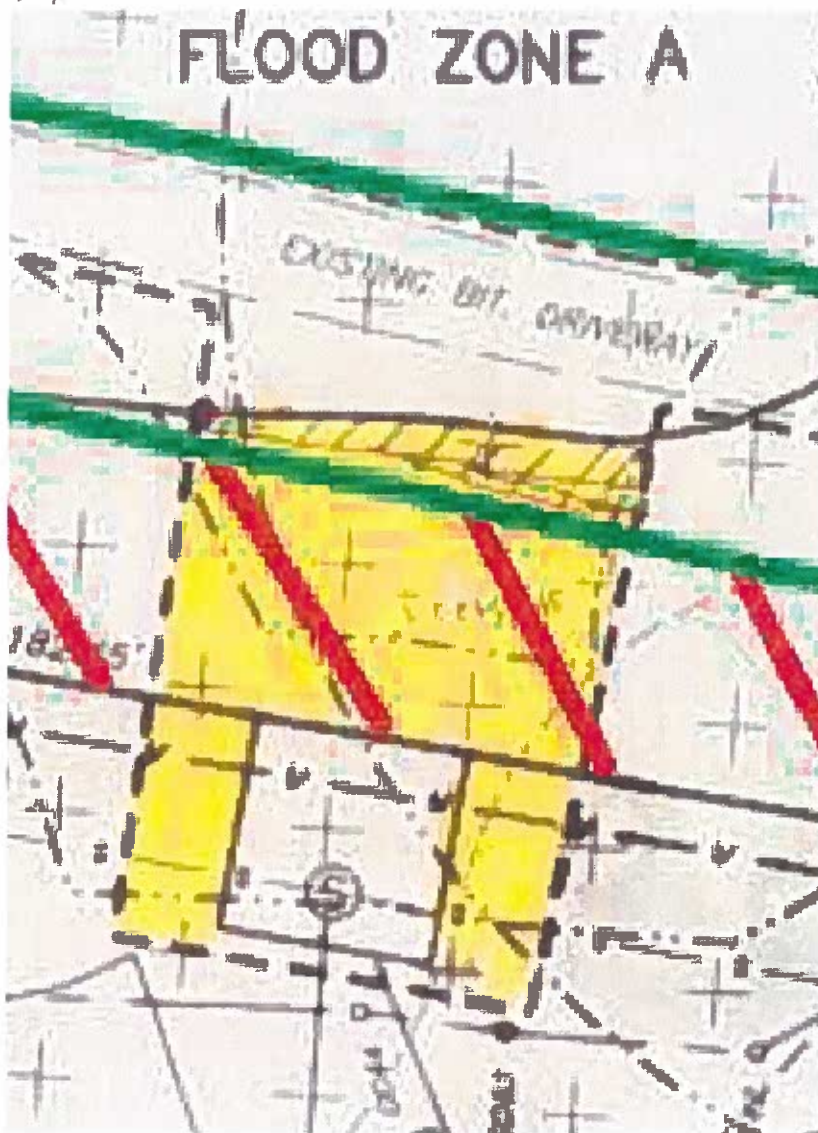
The right of way is a 25 ft wide section of paved and unpaved road running through my deeded property, pictures below show in yellow, the right of way



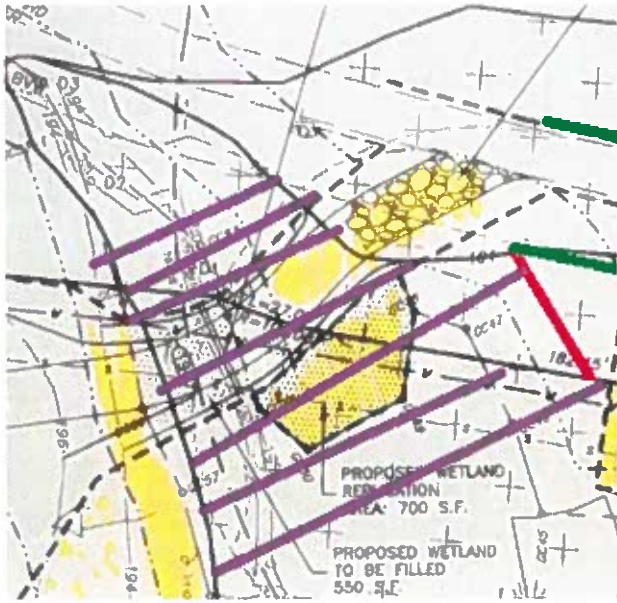
The highlight in the next picture shows ALSO my deeded land, but highlights area no longer part of the "right of way". The road total width is 75 feet. of which 25 ft are considered "right of way"



Proposed temporary structure 2 would require getting off of the right of way and destroying marked in red lines an area on my property to construct temporary structures IN THE WETLANDS.



Proposed wetland intrusion to construct a road (picture below) is not possible. During months of early October - Late April is flooded by approximately 1-2.5 feet of water at a minimum, not taking into account the amount of water that would pool there if applicant clears land for construction.



The small outflow at bakers pond is not longer a small outflow, it is new river-front when considering the amount of water that traverses through there. As winters get warmer with heavier rainfall it will get worse with more volume.

On Tue, May 25, 2021 at 10:26 AM Brian Donahoe <bdonahoe@goldmanenvironmental.com> wrote:

I cant seem to be able to open this folder due to cookies issue?

Brian Donahoe, Vice President
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From: Todd DeMelle <tdemelle@gmail.com>
Sent: Monday, May 24, 2021 10:20 PM
To: ayudzinsky@gmail.com; Greg Buckley <gw Buckley@verizon.net>; Brian Donahoe

<bdonahoe@goldmanenvironmental.com>

Subject: Re: Baker's Pond

Apologies, resending with what I hope is your correct address, Brian.

On Mon, May 24, 2021 at 10:16 PM Todd DeMelle <tdemelle@gmail.com> wrote:

Hello Brian and Artur,

My name is Todd DeMelle and my family and I live at 1355 High St which overlooks Bakers Pond. Artur, Greg passed on your email address. Brian, I got your info from the westwood conservation commission meeting. Nice to meet you both.

Greg asked me today if I would be available for the meeting coming up on June 9th, but I will be out of town and unable to attend. So I wanted to reach out and offer any assistance that might be helpful in preparing for the meeting.

I sent the below email to Karon prior to the last meeting which I thought would be of interest. If there's anything more I can do with reference photos or video or image editing/preparation, I'd be happy to do so.

Just let me know... thank you!

Todd

----- Forwarded message -----

From: Todd DeMelle <tdemelle@gmail.com>

Date: Sun, May 2, 2021 at 11:34 PM

Subject: Baker's Pond

To: Greg Buckley <gw Buckley@verizon.net>, Karon Catrone <kcatrone@townhall.westwood.ma.us>

Hi Karon,

I was talking with Greg this afternoon about the Conservation Committee meeting coming up Wednesday, when the proposal for construction on the lot by Baker's Pond off Mill St will be discussed.

The pond is as high this year as we've seen it in the 17 years that we've lived in the house. I thought I'd take some video and pictures for the meeting and then it occurred to me, I should dig up some pictures from before we got the Purple Loosestrife under control to show the before and after.

Looking at those old pictures now, it was even worse than I remember! We were able to regain a lot of open water! I also came across some shots from the Summers the beetles were released (can't believe that was 13? 14? years ago now...)

I put everything in a folder on Google Drive (linked below) along with some images showing the lot and the proposed construction plan superimposed onto the lot. (I was trying to get a better sense of where the proposed construction would go)

<https://photos.app.goo.gl/K6Unm29vK9vhhPuDA>

Please let me know if there's anything more I can provide that would be helpful for the meeting.

I hope all's well!

Sincerely,
Todd

The Attorney General has determined that email correspondences are public records unless the content of the email falls with one of the stated exemptions under the Public Records Laws