

Town of Westwood
Commonwealth of Massachusetts

Stephen David, Chairman
Todd Sullivan
Vesna Maneva
Debra Odeh
Grace Weller
R. J. Sheer
Elias Fares



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CONSERVATION COMMISSION

Minutes: Conservation Commission Meeting Date: July 26, 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 July 26, 2023 was called to order at 7:00 p.m. in the Champagne Meeting Room, 50 Carby Street, with the following members present: Stephen David, Grace Weller, Debra Odeh, Todd Sullivan and Elias Fares. Members Vesna Maneva and R J Sheer were absent. Also present is Karon Skinner Catrone, Conservation Agent.

Mr. David announces this meeting is being recorded.

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

Action Items:

1. 121 Cedar Hill Lane – DEP #338-0712 – Request for Minor Modification – Sandonato – No representation. Tabled to later in the meeting.
2. 403 Gay Street – SMP #088 – Request for Minor Modification – Morrel – Request has been withdrawn.
3. 125 Conant Road – DEP #338-0672 – Request for Certificate of Compliance – Malone - Continued to 9/13/23. Ms. Catrone states the owner has requested this be continued to September 13, 2023 because the plan has not been completed.

Motion made by Mr. David, seconded by Ms. Weller, to continue the action item for 125 Conant Road to September 13, 2023 at 50 Carby Street at 7:00 pm. Unanimous.

4. 472 Summer Street – DEP #338-0716 - Request for Certificate of Compliance – Anderson - Continued to 9/13/2023 - Ms. Catrone states that at an onsite meeting with BETA during a heavy rain event, BETA suggested there could be some changes made to improve the flooding situation that is occurring on neighboring properties.

Motion made by Mr. David, seconded by Ms. Weller, to continue the action item for 472 Summer Street to September 27, 2023 at 7:00 pm at 50 Carby Street to allow the applicant's engineer to make the suggested changes and BETA and Ms. Catrone to do another site visit during a major rain event. Unanimous.

5. 1A Laura Lane – DEP #338-0621 – Request for Certificate of Compliance - Clare – Ms. Catrone states she visited the site 7/26/23 and found the project in compliance with the Order of Conditions. The only deviation from the approved plan is the drywell was installed inside the fenced area as opposed to outside the fenced area. There was no vegetation removal beyond the limit of work.

Motion made by Mr. David, seconded by Ms. Weller, to issue a complete Certificate of Compliance for 1A Laura Lane DEP #338-0621. Unanimous.

Public Hearings:

909 High Street- Notice of Intent DEP #338-? – TOW – Present are David Crispin and Kyle Merchant, of BSC Group, and Tom Daley of the Cemetery Commission, representing the town of Westwood.

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 all 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 graves. The drainage from that area will be piped to the infiltration area.

Mr. Fares asks how many trees will need to be removed for this project.

Mr. Crispin states hundreds of trees will need to be removed.

Mr. David states this area was intended to be used for this purpose.

Mr. Sullivan asks how many graves sites are left.

Mr. Daley responds enough for about a year.

Motion made by Mr. David, seconded by Ms. Weller, to continue the hearing to September 13, 2023 at 7:00 pm at 50 Carby Street to allow the Commission to visit the site. Unanimous.

4 Stevens Circle – Notice of Intent (Bylaw only) – # 338-0756B - Miller

Pool, patio and sport court – Continued from 7/12/23

The Commission opened the public hearing and reviewed copies of the Notice of Intent (NOI) for 4 Stevens Circle, including the following:

1. DEP form 3 Notice of Intent submitted on May 24, 2023 by Russel Waldron of Applied Ecological Sciences of P.O. Box 184, Norfolk, MA 02056, including seventy-two (72) pages;
2. Plan – “SITE PLAN FOR SITE IMPROVEMENTS AT 4 STEVENS CIRCLE, WESTWOOD, MA 02090”, dated 3/14/23, revised 7/25/23, submitted by Anthony Stella of Site Engineering Consultants, Inc of 55 Grape Shot Road, Sharon, MA 02067, including two (2) sheets;

Present are Russel Waldron, wetland consultant, and Matthew Miller, owner, requesting an Order of Conditions to install a 20' x 40' salt style in-ground pool with an outdoor kitchen and a stamped concrete patio and a 50' x 30' basketball court. He states this hearing was continued from the last meeting to allow the owners to consider downsizing the project. Mr. Waldron states we have reduced the impervious by 1,440 sq. ft. and added six (6) trees and twelve (12) shrubs to the plan. All surface water runoff and pool runoff will be directed into a stormwater recharge system. No work is proposed within the 10-foot No Alteration Zone (NAZ).

Motion made by Mr. Sullivan, seconded by Ms. Odeh, to issue an Order of Conditions with the condition the applicant submit an Invasive Plant Removal Plan. The Commission is polled and all are in favor.

44 Salisbury Drive- Notice of Intent DEP #338-? – Culgin – Must be continued – No DEP file number Addition

The Commission opened the public hearing and reviewed copies of the Notice of Intent (NOI) for 4 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 twenty-six (26) pages;
2. Plan – “PLAN SHOWING PROPOSED ADDITION 44 SALISBURY DRIVE, WESTWOOD, MA NORFOLK COUNTY”, dated 6/5/23, submitted by Dennis O'Brien of D. O'Brien Land Surveying of 480 West Central Street, Franklin, MA 02038, including one (1) sheet;

Present are Russel Waldron, wetland consultant, and Joe Hogan, owner, requesting an Order of Conditions to construct a 14.9' x 15.4' addition to the right side of the existing single-family home. The addition will be constructed over an existing addition which will be demolished. An infiltration system will be installed to collect roof run-off.

Ms. Odeh states if trees must be removed for the infiltration system, moving the system would make more sense.

Ms. Catrone states the hearing must be continued because there is no DEP file number.

Motion made by Mr. David, seconded by Ms. Odeh to continue the hearing to September 13, 2023 at 7:00 pm at 50 Carby Street due to the lack of a DEP file number. Unanimous.

42 Mill Street – Notice of Intent – DEP # 338-0756 - Delapa

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

The Commission opened the public hearing and reviewed copies of the Notice of Intent (NOI) for 42 Mill Street, including the following:

1. DEP form 3 Notice of Intent submitted on May 22, 2023 by Chris Frattaroli of Goddard Consulting, LLC of 291 Main Street, Suite 8, Northborough, MA 01532, including fifty-four (54) pages;
2. Plan – “BAKER'S POND SPILLWAY REPAIR PLAN”, dated 7/23/23, submitted by Jeffrey Lebeau, Jr. of JNL Civil Engineering, 88 Coral Road, Springfield, MA 01118, including two (2) sheets;

Present is Chris Frattaroli of Goddard Consulting, LLC. Mr. Frattaroli states this project has a Superseding Order of Conditions to construct a single-family home. The applicant has agreed to spend \$25,000.00 to repair the dam. The spillway is falling apart and there is a beaver dam above it. Access will be with a mini excavator.

Mr. David asks who will be doing the work.

Mr. Frattaroli states a contractor has not been hired yet.

Ms. Catrone states a construction sequence plan may be helpful.

Mr. Frattaroli states the plan is to construct the dam at the same level.

Mr. Fares states there should be a staging plan.

Ellen Rollings of 86 Greenhill Road states the abutter's properties should be shown on the plan.

Autur Yudzinsky of 44 Mill Street states during one of the denials there was a statement of unmapped waters.

Ownership of the dam is in question. Water belongs to abutters.

Dean Fino of 1331 High Street states he does not want to see the beavers go away and does not want the level of the pond to go down.

Mr. David asks if this is affecting his house

Mr. Fino states no, not at this time.

Richard Tschirch of 31 Mill Brook Road states the water level goes up and down. He has heard talk about a culvert. This brook should not go through a culvert.

Mr. David reads a letter from resident Greg Buckley into the record.

Ms. Rollings asks where the beavers are moved.

Ms. Catrone states they are terminated. It is against the law to relocate the beavers.

Motion made by Mr. Sullivan, seconded by Ms. Weller, to continue the hearing to September 13, 2023 at 7:00 pm at 50 Carby Street to allow BETA to do a peer review study. Unanimous.

22 Everett Street- Notice of Intent DEP #338-0757 – Foster

Remediation

The Commission opened the public hearing and reviewed copies of the Notice of Intent (NOI) for 22 Everett Street, including the following:

1. DEP form 3 Notice of Intent submitted on June 22, 2023 by James Borrebach of OHI Engineering Inc., 44 Wood Ave, Marshfield, MA 02048, including thirty-six (36) pages;
2. Plan – “REMEDIATION SITE PLAN 22 EVERETT STREET WESTWOOD, MA”, dated May 4, 2023, submitted by OHI Engineering, Inc., including one (1) sheet;

Present are Jim Borrebach of OHI Engineering, Inc. and Donald and Barbara Foster, owner, requesting an Order of Conditions to remove Light Non-Aqueous Phase Liquid (LNAPL) found at the site after a release of petroleum products was reported to Massachusetts Department of Environmental Protection in May 1987 at 22 Everett Street. Mr. Barrebach states the property is 83,000 sq. ft. The release affected 6,200 sq. ft. of the property. There is oil sitting on the water table. The area will be excavated, 1 – 2 wells will be installed, the area covered with stone and backfilled. DEP has an oversight and review process. They will be involved in discussions as to how work will be done and the water to be removed during this process. Stability of the bank will be taken into consideration. Soil on the site is dense till which makes it hard for water to move through it.

Ellen Rollings of 86 Greenhill Road asks who will be responsible for this work.

Mr. Barrebach states the current owners.

Motion made by Mr. Sullivan, seconded by Mr. David, to issue an Order of Conditions with the condition the applicant will notify Ms. Catrone 24 hours prior to any work done on the bank so she can monitor the work. Unanimous.

Action Items continued:

1. 121 Cedar Hill Lane – DEP #338-0712 – Request for Minor Mod – Sandonato

Present is Dean Sandonato requesting a Minor Modification for the installation of an infiltration system, a retaining wall and changes in the location of the slope.

Mr. Sandonato states we are waiting to loam and seed but are unable because the neighbor continues to contact the Conservation Commission office.

Bill and Julie Brett of 137 Cedar Lane are present and state it has been 4 years since Mr. Sandonato cleared his yard and cut down some of their trees. Dump trucks arrive with fill and the noise is extremely disturbing.

The Commission agrees to allow the applicant to continue with work.

Motion made by Mr. David, seconded by Mr. Sullivan, to approve the request for minor modification. The Commission requires the area loomed and seeded and required plants installed as soon as possible. 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

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

Note: Agenda items and order subject to change