

Town of Westwood
Commonwealth of Massachusetts



Todd Sullivan – Vice Chair
Vesna Maneva
Debra Odeh
Grace Weller
Elias Fares
Michael Walsh
Stephen Harte
R.J. Sheer - Associate

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CONSERVATION COMMISSION

Amended Minutes: Conservation Commission Meeting Date: December 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 December 13, 2023 was called to order at 7:00 p.m. in the Champagne Meeting Room, 50 Carby Street, with the following members present: Todd Sullivan, Grace Weller, Michael Walsh, Stephen Harte, Vesna Maneva and Elias Fares. Member Debra Odeh and associate member R.J. Sheer are absent. Also present is Karon Skinner Catrone, Conservation Agent.

Mr. Sullivan, acting chairperson, announces this meeting is being recorded.

Public Hearings:

1. **100 Farm Lane- Notice of Intent - DEP #338-0761 – Vernon/Culgin** – Continued to 1/10/24
Soak pool, sport court and patio area
Ms. Catrone states the Commission does not have a quorum for this project. Mr. Walsh and Mr. Harte have missed more than one meeting regarding this project.
Motion made by Ms. Odeh, seconded by Mr. Walsh, to continue the hearing for 100 Farm Lane to January 10, 2024 at 7:00 pm at 50 Carby Street. Unanimous.
2. **74 Fox Hill Street – Stormwater Notice of Intent – SMP #? – Consalvo**
New construction
Motion made by Ms. Weller, seconded by Ms. Odeh, to continue the hearing for 74 Fox Hill Street to January 10, 2024, at 7:00 pm at 50 Carby Street to allow BETA to complete the peer review. Unanimous.
3. **42 Mill Street – Notice of Intent – DEP # 338-0756 – Delapa** – Continued to 1/10/24
Dam repair and access road
Motion made by Ms. Weller, seconded by Ms. Odeh, to continue the hearing for 42 Mill Street to January 10, 2024, at 7:00 pm at 50 Carby Street to allow BETA to complete the peer review. Unanimous.
4. **97 Blueberry Lane – Stormwater Notice of Intent – SMP #? – Vaughn** – Continued to 1/10/24
New construction
Motion made by Ms. Weller, seconded by Ms. Odeh, to continue the hearing for 97 Blueberry Lane to January 10, 2024 at 7:00 pm at 50 Carby Street to allow BETA to complete the peer review. Unanimous.

Action Items:

1. **Prout Farm discussion** – Ms. Catrone states the Westwood land trust is reviewing a report from an ecologist regarding natural heritage and/or endangered species issues on the site. The Commission has not received this report at this time.
Motion made by Mr. Walsh, seconded by Ms. Weller to continue this Action Item to January 10, 2023 to allow receipt and review of this report. Unanimous.
2. **472 Summer Street – DEP #338-0716** - Request for Certificate of Compliance – Anderson – Present is Zoe Sanchez of Goddard Consulting. Ms. Sanchez states we went out to the site to treat the invasive plants and we have submitted videos showing the pipes mentioned at the last meeting, which have been decommissioned.

Page Cochran of 126 Westfield Street asks why these pipes are there.

Mr. Sullivan states they may have been out there before construction but, from the video it is clear they do not go anywhere.

Julie Gillis of 136 Westfield Street asks Ms. Catrone what day she was at the site. Ms. Catrone states she is not sure at this moment.

Mr. Fares states calculations were done prior to the system's installation. This project was continued several times to allow the agent and BETA to view the property during large storm events.

Ms. Gillis states she was told at the last discussion there was a report from BETA and found out later there was no report.

Mr. Sullivan asks for public comment that has not been previously discussed.

Hearing none, motion made by Ms. Weller, seconded by Ms. Maneva to close this discussion item.

Unanimous.

Motion made by Ms. Weller, seconded by Ms. Maneva, to issue a Certificate of Compliance for 472 Summer Street, DEP #338-0716, with the condition that organic fertilizer be used on the lawn in perpetuity. Unanimous.

3. **Abbey Road – SMP-034** - Request for Certificate of Compliance – Applicant Dan Green of the Green Company, the developer of the Homes@45 project, appeared before the Commission. Mr. Sullivan states he and Ms. Catrone visited the site on December 12, 2023 and found the site to be in compliance with the approved land disturbance plan submitted by the Green Company. The landscaping looked very healthy. Ms. Catrone states she visited the site several times as the tree warden with the Planning Board agent to observe the health of the shade trees, which were required by the Planning Board approval. Many of the original trees had to be replaced. At this time all screen trees are healthy.

Mr. Sullivan asks for public comment.

Hearing none, motion made by Mr. Walsh, seconded by Ms. Weller to close this discussion item.

Unanimous.

Motion made by Mr. Walsh, seconded by Ms. Weller, to issue a Land Disturbance Certificate of Compliance for Abby Road, SMP #034, with the standard ongoing conditions, including the ongoing condition that organic fertilizer be used on the lawns on the property . Unanimous.

4. **Hedgerow Lane – DEP #338-0627** - Request for Certificate of Compliance – Neither the Applicant nor a representative appeared at the hearing. Mr. Sullivan states he and Ms. Catrone visited the site on December 12, 2023 and found the site to be in compliance with the approved Order of Conditions plan submitted by Norwood Engineering with the exception of yard waste found along the wetland side of the retaining wall in the wetland area and a silt sack left in the catch basin. The street trees and landscaping throughout the site looked very healthy and all disturbed area near the wetland were stabilized.

Ms. Catrone states the Order required plantings. Some of these planting did not survive but the area had natural, native regrowth. Mile-a-mile vine was found in the wetland. The applicant agreed to treat the mile-a-minute in leu of replanting.

Ms. Catrone states at the time of this inspection there was no mile-a-minute in the wetland area.

The Commission agrees that signage in front of the retaining wall may help with the yard waste dumping.

Hearing none, motion made by Mr. Walsh, seconded by Ms. Weller to close this discussion item.

Unanimous.

Motion made by Mr. Walsh, seconded by Ms. Weller, to issue a Certificate of Compliance for Hedgerow Lane, DEP #338-0627, with the standard ongoing conditions, including the ongoing condition that organic fertilizer be used on the lawn in perpetuity, and the silt sack and the yard waste to be removed, and that a sign be installed “No Dumping” in the town right-of-way. Unanimous.

5. **125 Conant Road – DEP #338-0672** - Request for Certificate of Compliance – Neither the Applicant nor a representative appeared at the hearing. Ms. Catrone states the applicant was required to install wetland markers no closer than 10 feet from the wetland line. Two of the five markers are slightly within 10 feet of the resource area. Ms. Catrone shows the Commission the as-built plan.

Mr. Sullivan states there was a lot of invasive removal in the area and an existing fence.

Hearing none, motion made by Ms. Maneva, seconded by Mr. Walsh to close this discussion item.

Unanimous.

Motion made by Mr. Walsh, seconded by Ms. Maneva, to issue a Certificate of Compliance for 125 Conant Road, DEP #338-0672, with the standard ongoing conditions, including the ongoing condition that organic fertilizer be used on the lawn in perpetuity. Unanimous.

6. **401 Sandy Valley Road – DEP #338-0624** - Request for Certificate of Compliance – Neither the Applicant nor a representative appeared at the hearing. Mr. Sullivan states he and Ms. Catrone visited the site on December 12, 2023 and found the site to be in compliance with the approved Order of Conditions plan. All disturbed areas have been stabilized and there was no impact to the wetlands.

Hearing none, motion made by Mr. Walsh, seconded by Ms. Weller to close this discussion item. Unanimous.

Motion made by Mr. Walsh, seconded by Ms. Weller, to issue a Certificate of Compliance for 401 Sandy Valley Road, DEP #338-0624, with the standard ongoing conditions, including the ongoing condition that organic fertilizer be used on the lawn in perpetuity. Unanimous.

7. **375 Nahatan Street – DEP - #338-0695** – Request for Certificate of Compliance – Musto
Mr. Fares asks why so many trees were planted.
Mr. Musto states this is what the Commission required, and he planted additional trees for screening.
Mr. Sullivan states he and Ms. Catrone visited the site on December 12, 2023 and found the site to be in compliance with the approved Order of Conditions plan with the exception that the plaques need to be installed on the wetland markers.
Motion made by Mr. Walsh, seconded by Ms. Maneva, to close this action item. Unanimous.
Motion made by Mr. Walsh, seconded by Ms. Maneva, to issue a Certificate of Compliance for 375 Nahatan Street, DEP #338-0695, with the standard ongoing conditions, including the ongoing condition that organic fertilizer be used on the lawn in perpetuity, and subject to the condition that 34 of the newly planted trees remain on the property in good condition as of September 1, 2024, and that the wetland markers are inspected and improved by the Conservation Agent. Unanimous.

Public Hearings (continued):

5. **115 Bay Colony Drive – Notice of Intent – DEP #338-0762 – Ventura**

Landscape improvements.

The Commission opened the public hearing and reviewed copies of the Notice of Intent (NOI) for 115 Bay Colony Drive, including the following:

1. DEP form 3 Notice of Intent submitted by Brad Holmes of Environmental Consulting and Restoration, LLC, P.O Box 4012, Plymouth, MA 02361, including thirty (30) pages;
2. Plan – PROPOSED GRADING PLAN OF LAND IN WESTWOOD, MA, dated July 1, 2023, submitted by Colonial Engineering Inc. of 11 Awl Street, Medway, MA 02053, including two (2) sheets;

Present is Brad Holmes representing the owners of 115 Bay Colony Drive, requesting an Order of Conditions for landscaping within the buffer zone. He states prior to start of work erosion control will be installed.

Proposed activities include: removal of non- native vegetation, a new layer of loam for reseeding, tree and brush removal outside of 35' buffer, and new plantings. Twenty-three (23) native shrubs are proposed.

Mr. Fares states only cut fill must be used.

Motion made by Mr. Walsh, seconded by Ms. Maneva to close the hearing. Unanimous.

Motion made by Mr. Walsh, seconded by Ms. Weller, to issue an Order of Condition for 115 Bay Colony Drive, DEP #338-0762, with standard conditions, including that three (3) wetland markers be installed within ten (10) feet of the buffer zone. Unanimous.

6. **22 Everett Street – Notice of Intent – DEP #338-0754 – Petruzzello** – Continued from 11/8/23

Mixed-use

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 and associated material submitted by Andrea Kendall of LEC Environmental Consultants, Inc., 100 Grove Street, Suite 302, Worcester, MA 01605, including

seventy-two (72) pages;

2. Plan – “PROPOSED SITE PLAN DOCUMENTS” PP EVERETT STREET, LLC PROPOSED MIXED-USE DEVELOPMENT LOCATION OF SITE 22 EVERETT STREET, TOWN OF WESTWOOD, NORFOLK COUNTY MASSACHUSETTS MAP #23, LOTS 226 & 227, dated 3/8/23, submitted by Zackary Richards of Bohler of 45 Franklin Street, Boston, MA 02110, including twenty-five (25) sheets;

Present are Zackary Richards, design engineer, Giorgio Petruzzello, owner, Wayne Brolet and Andrea Kendal, wetland scientist, requesting an Order of Conditions for a mixed-use development at 22 Everett Street.

Ms. Kendal states: we have not been before the Commission in some time. The initial submittal was 3/23/23 and first meeting with the Conservation Commission was 6/6/23. They received approval from the Planning Board on 12/5/23. She states the project is located at 22 Everett Street with the MBTA running along the side of the property and Purgatory Brook running through the property. Ms. Kendal shows the site plan layout. She states there have not been a lot of changes to the plan since our last meeting with the Commission. The following changes were approved by the Planning Board: There will no longer be a dog park, a pedestrian passageway was added to Bld. A, a landscape strip has been added to Bld. B and they have added an inclusive playground.

Mr. Walsh asks if there is a pathway in the rear of the property.

Mr. Petruzzello states they are working on this with the Planning Board.

Ms. Maneva asks for an update on the invasive plant removal.

Ms. Kendal states it is the same including multiple visits to the site to removal the invasive plants.

Mr. Fares states he is concerned with the water table and the first-floor buildings.

Mr. Petruzzello states the buildings are constructed on slabs above the water table.

The Commission agrees they are satisfied with the plan.

Motion made by Ms. Maneva, seconded by Ms. Weller to issue an Order of Conditions for 22 Everett Street with the following Conditions:

- 1. An agent of the town must observe the excavation for the infiltration system for soil texture and seasonal high ground water and observe the system prior to backfill;**
- 2. The infiltration system must be inspected once per year and a report submitted to the conservation office prior to May 30 each year;**
- 3. The Applicant must contact the Conservation Commission to inform them of the date these trees are planted;**
- 4. An invasive plant removal plan must be submitted per DEP protocol.**

Unanimous.

Discussion Items:

1. Potential Tree policy/ordinance/bylaw
<https://www.mass.gov/doc/tree-bylaw-and-ordinance-guide/download>
Ms. Weller stated that she is currently reviewing a draft policy for discussion at a future meeting.
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>
Ms. Catrone stated that the draft Land Management Plan is still in production and may not be ready for review by the Commission for a year.
3. Commissioners' observations around town and next scheduled site visits
Mr. Sullivan reported that the swales at 100 Farm Lane are functioning as designed.
4. Update on significant projects and other topics not reasonably anticipated
Ms. Maneva expressed concerns about conditions requiring the use of organic fertilizers in perpetuity. She stated that there are no standards for the term “organic fertilizer” in Massachusetts.
5. Actively make buyers, property owners and realtors aware of WPA, wetland ordinance and stormwater
Ms. Catrone stated that local real estate professionals often seek information about wetland and stormwater regulations.

Action Items (continued):

8. Vote to Reorganize –

Mr. Sullivan stated that he had been the Conservation Commission Vice Chair for five years, and served as Acting Chair following the resignation of the prior Chair Stephen David. He said that time commitments related to his business make it difficult for him to continue in this roll. Mr. Sullivan requested nominations for the positions of Chair and Vice Chair.

Motion made by Mr. Harte, seconded by Ms. Maneva to nominate Ms. Weller as Chair of the Conservation Commission. Unanimous.

Motion made by Mr. Sullivan, seconded by Mr. Harte to nominate Mr. Walsh as Vice Chair of the Conservation Commission. Unanimous.

Minutes:

Minutes listed on Agenda to be approved:

- February 8, 2023
- March 22, 2023
- June 14, 2023
- September 13, 2023
- September 27, 2023

None of these minutes were discussed and none were approved.

Adjournment:

Motion by Mr. Walsh, seconded by Ms. Weller to adjourn the meeting. Unanimous.

The meeting adjourned at 8:42 pm.

Upcoming Meeting: 1/10/24 – in person meeting

Note: Agenda items and order subject to change