

TOWN OF WESTWOOD

Commonwealth of Massachusetts

John Rogers, Chairman
Diane Hayes, Vice Chair
Brian Gorman
R.J. Sheer



Charles Pare
Todd Sullivan
Todd Weston
Karon S. Catrone, Agent

CONSERVATION COMMISSION

Minutes: Conservation Commission Meeting Date: October 26, 2016 at 7:00 p.m.

Location: Champaign Meeting Room, 50 Carby Street, Westwood, MA

7:00 p.m.

The Conservation Commission meeting of October 26, 2016 was called to order at 7:00 p.m. in the Champagne Meeting Room, 50 Carby Street with the following members present: Charles Pare, John Rogers, Todd Sullivan, R.J. Sheer and Diane Hayes. Also present is Karon Skinner Catrone, Conservation Agent.

Review/update Agenda

Approval of minutes – October 12, 2016 – Motion made by Mr. Pare, seconded by Mr. Sullivan to approve the minutes of October 12, 2016, with changes. Unanimous.

7:00 p.m. – Call to Order

Proactive Education and Information Topics for Review

- WPA, DEP Regulations, Stormwater Regulations, Wetland Protection Bylaws and Westwood CC Policies. Understand and clarify differences in state and local regulations.
- Wetlands Protection in Westwood
- Supplement and enhance technical expertise
- Develop a Conservation Land Management Plan – Mr. Sheer states the plan is in process.

Discussion Items:

1. 42 Mill Street – Approved by DEP – Ms. Catrone states there has been an informal agreement but no Order has been issued. The applicant has revised the plan to meet Ms. Catrone's concerns.
2. Upcoming workshops - FYI
3. Herbicide use – behind Bonfish Grill – Ms. Catrone explains this was a replication area for a filing at 174 and 190 University Ave. (DEP file #338-0586B). The applicant was required by the Fire Department to create an access road. Filling of the wetlands was required to construct this road so the applicant created a replication area adjacent to the wetlands. As part of the replication area they proposed invasive plant control. The first approach to invasive control was cutting the Phragmites. The Phragmites on the site continues to grow back each year. Ms. Catrone has discussed herbicide control with TetraTech. The area is in Zone I so there must be an approval from Dedham Westwood Water District and the Planning Board prior to herbicide application.
4. 131 High Rock Street - Minor modification – Mr. Sheer recuses himself from the hearing. Present is Mr. Kevin Brett of Wellbuilt Partners. Mr. Brett is requesting a minor modification to Order of Conditions #338-0595 to create a gentler slope in the rear of the house.

Mr. Pare is strongly opposed to this change. The applicant requested a larger house footprint (prior to the construction of the house) knowing he would have to sacrifice the rear yard.

Westwood Conservation Commission
50 Carby Street
Westwood, MA02090

phone: (781) 251-2580
Fax: (781) 329-8030
Page 1 of 3

Mr. Rogers requests that the applicant revise the plan to show the fence that has been installed and the proposed slope.

Motion made by Ms. Hayes, seconded by Mr. Sullivan to continue the hearing to November 9, 2016 at 7:00 p.m. to allow the applicant to revised the plan. Unanimous.

Action Items

1. Enforcement order – 138 Country Lane – Rodenbush – Clearing in rear yard (buffer zone). Ms. Catrone states she issued an Enforcement Order after receiving a compliant that trees had been cut in the buffer zone. Present is Ms. Rodenbush of 138 Country Lane. She states when we purchased the house we had the land surveyed and we were not told it was wetland. We thought we had a lot of useable land. We found the neighbors were dumping in the area so we took down the old fence and put up a new fence. Mr. Rogers states he visited the site. There is no under layer. The shrubs have been removed. Mr. Rogers ask Ms. Catrone to flag the site. Ms. Rosenbush gives Ms. Catrone permission to go on their property to flag the wetland.

Hearings

Notice of Intent –DEP #338-0628 – 560 Oak Street – Draper –Present is Michele Grenier, wetland consultant representing Mr. Draper and Mr. Donlan, owners. The owners are requesting an Order of Conditions to tear down the existing house and build a new single family home. The new house is proposed 10 feet further away from the wetlands than the existing house. The proposed plan shows 4 drywells and 3 Balsam firs.

Mr. Pare asks that a construction fence needs to be added to the erosion control.

Mr. Sullivan states a cultex system would probably be better than the drywells

Mr. Rogers states the engineer should show the calculations on the plan.

Motion made by Mr. Sheer, seconded by Mr. Sullivan to issue an Order of Condition with standard conditions. Unanimous.

Notice of Intent –DEP #338-0627 – 443 Canton Street/off Hedgerow Lane – Present is David Johnson of Norwood Engineering representing David Spiegel, Canton Street Realty Trust. Mr. Johnson is requesting an Order of Conditions for the construction of a proposed roadway, retaining wall, sediment forebay, infiltration basin and grading associated with a 10-lot subdivision located in the 100’ buffer zone to a bordering vegetated wetland/land subject to flooding/isolated wetland located in Norwood and Westwood. The applicant is proposing to remove and revegetate an existing cart path as mitigation. All of the proposed activity is located in Westwood.

Mr. Johnson states we are here tonight to talk about only the roadway. We need to construct a retaining wall to hold the road back. The wall is proposed along the 35 foot buffer. There are wetlands in Norwood and we will be filing with the Town of Norwood Conservation Commission. Stormwater on site is unique. Drainage swales are designed to carry the water to the end of the road. It will then be directed to an infiltration basin. The only activity within 35 feet of the wetland is the wall, the cart path plantings and the rip rap ends.

The detention basin is within 100 feet of the Norwood wetlands.

Mr. Johnson states the work within the 35 foot buffer could be considered a limited project because it is the access to the project.

The planning board had a consultant review for stormwater.

We are submitting revised copies to meet the last two comments.

Shangyao Nong of 88 Lyons Drive asks if the drainage for Lyons Drive is addressed here.

Mr. Johnson states all of Lyons Drive goes to Norwood. The drainage will go to an over land swale.

Mr. Nong is concerned about water puddling at the end of his driveway.

Mr. Rogers asks if a culvert can be put under the emergency roadway.

Mr. Johnson states there will be a catch basin at the end of the driveway.

Ms. Hayes asks what if the catch basin was on the other side of the driveway.

Mr. Johnson states we will touch base with the Planning Board peer review engineer regarding this area.

Mr. Rogers asks that the rip rap be removed from the wetland.

Mr. Sullivan suggests precast walls as opposed to the retaining wall.

Mr. Johnson states they must be poured concrete to be accepted as town road

Mr. Pare states he does not want to see pea stone in the sidewalk design. 1.5" stone on the strip along back of curve. Instead of doubling up on the compost socks, you could use an 18 inch sock with construction fence.

Mr. Rogers states there is a lot of work in the 35 foot buffer area. Something should be in corner to give us wetland benefit. Mr. Rogers asks instead of loaming and seeding the cart path, you could make the path a wetland.

Motion made by Ms. Hayes, seconded by Mr. Sheer, to continue the hearing to November 9, 2016 at 7:00 p.m. to allow the applicant to revise the plan. Unanimous.

Notice of Intent –DEP #338-? – 131 Bay Colony Drive – Hennigan – Continued from October 12, 2016.

Present is Paul DeSimone representing Mr. and Mrs. Hennigan. Mr. DeSimone states the owners of the property cut down trees and shrubs in the rear yard with the intent to extend their back yard. No work has been done since they received the Enforcement Order. The lot was flagged on April 18, 2016 by Ivan Szilassy. There is an isolated wetland in the center of the rear yard which does not meet the state's size requirement but is jurisdictional under the Town of Westwood Wetland Bylaw. Trees were also cut down on the neighbor's property. The plan shows 303 sq. ft. of filling of the wetlands. The owner is proposing to replicate 1000 sq. ft. Mr. DeSimone state the owner is proposing 48 new trees and shrubs.

Ms. Hennigan states we have lost sight of why we did this. We took down 14 trees and we are proposing 40 replacement trees and shrubs. He does not understand why this is not good enough.

Mr. Rogers states you dumped materials in wetland and buffer zone. There were a number of large trees cut. This is a clear violation of the Wetland Protection Act and the Westwood Wetland Bylaw.

Mr. Hennigan asks if we are to call the Commission if there is going to be a bad storm and we fear we will lose a tree. The insurance co. required that we cut down the trees.

The Commission agrees they have never seen so many trees cut down in a wetland.

Mr. Weston states the Commission needs to feel like we are progressing. The owners have come to the meeting defensively and it makes it difficult to work together. We all want to work with you.

Mr. DeSimone states only one tree was cut in state wetland. The others were in the buffer zone or the isolated wetland which is not jurisdictional under the Wetland Protection Act.

The Commission has required a letter from the neighboring owner that their trees were inadvertently taken down and their concerns have been met.

Mr. Rogers states the contractor should be responsible for some of the burden. He states maybe we can use the boundaries to your benefit. Stone bounds should be along the 35 foot buffer.

Mr. Rogers states replacement trees should be marked clearly on the plan. The base of slope should be along the 35 foot.

Ms. Catrone and Mr. Pare have asked that there are no White Pine, Populas, or Which hazel.

Mr. Rogers states the Commission needs to see a revised plan and planting plan.

Motion made by Ms. Hayes, seconded by Mr. Sheer, to continue the hearing to November 9, 2016 at 7:00 p.m. to allow the applicant to revise the plan. Unanimous.

Motion made by Ms. Hayes, seconded by Mr. Sheer, to adjourn the meeting. Unanimous.