

**TOWN OF WESTWOOD**  
Commonwealth of Massachusetts

John Rogers  
Diane Hayes  
Todd Sullivan



R. J. Sheer  
Charles Pare

**CONSERVATION COMMISSION**

***Minutes: Conservation Commission Meeting Date: October 28, 2015 at 7:00 p.m.***  
***Location: Champagne Meeting Room, 50 Carby Street, Westwood, MA***

The Conservation Commission meeting of October 28, 2015 gathers at 7:00 p.m. in the Champagne Meeting Room, 50 Carby Street with the following members present: Charles Pare, Diane Hayes, John Rogers, Todd Sullivan and R. J. Sheer. Also present was Karon Skinner Catrone, Conservation Agent.

7:00 p.m.

Minutes – June 10, 2015, June 24, 2015, July 8, 2015, July 22, 2015, September 9, 2015, approval - October 14, 2014 – **Motion made by Mr. Rogers, seconded by Mr. Pare to approve the minutes of October 14, 2014 with changes. Unanimous.**

Discussion Items-

1. **Partial Certificate of Compliance – NOI #338-0590 - 50 Pleasant Valley Road** – Present is Mr. Stephen Hansen requesting a Partial Certificate of Compliance for 50 Pleasant Valley Road.

Ms. Catrone states under the Order of Conditions the owner was required to plant 11 trees, and remove invasive species from the site. The applicant has removed much of the Bittersweet in the rear yard and has planted 11 plus trees and many shrubs. The lawn is stabilized. The as-built shows the cultex system but Ms. Catrone states she did not inspect it prior to backfill. I would recommend issuance of a Partial Certificate of Compliance with a reminder to the applicant that the invasive species must be maintained, according to the management plan, for two years.

Mr. Hansen states the topography was not really changed. He states he has planted 11 plus trees.

**Motion made by Mr. Pare, seconded by Ms. Hayes to issue a Partial Certificate of Compliance with the reminder that the applicant must follow the invasive species plan for 2 years. Unanimous.**

2. **Sncarc – Release of funds** – The accounting office is being required to release funds held to ensure the compliance of the Order of Conditions #338-0134. This file has been archived. A Certificate of Compliance has been issued.

**Motion made by Ms. Hayes, seconded by Mr. Sheer to release the funds to SNCARC. Unanimous**

3. **Minor Modification – 20 Wicklow Drive - #338-0603** – Present is Mr. David Flynn requesting a Minor Modification to the approved Order of Conditions #338-0603. The applicant would like to tear down the existing house instead of constructing the approved additions. The new footprint is smaller and is not closer to the wetland line than the approved plan. A new foundation is proposed. Erosion control will be installed in the approved location.

Mr. Rogers requests a new plan showing erosion control, trees to be planted, details and change in benefit.

Mr. Sullivan recuses himself from the meeting.

**RDA – 244 Farm Lane – Sora Realty** – Present is Mr. Sullivan. This project includes teardown of the existing house and rebuilding on the same footprint. This was discussed at the October 14, 2015 meeting and the Commission had no issues with the project. This hearing was continued to this meeting to vote on the project.

**Motion made by Ms. Hayes, seconded by Mr. Pare to issue a negative Determination of Applicability #3 for the tear down of the existing house and construction of a new single family home on the existing footprint. Unanimous.**

Mr. Sullivan returns to the meeting.

**RDA – 54 Birchtree Drive - Dowdy** – Present is Phil Eramo. Mr. Eramo points out the location of 54 Birchtree Drive. The applicant is requesting a Negative Determination of Applicability to expand the rear yard. There is an addition and infiltration system proposed but these are outside of the buffer zone. The expansion work is 71.6 feet from the wetland line. Ms. Catrone states she has not inspected this wetland line. Mr. Rogers suggests the applicant try to make the slope less steep.

**Motion made by Ms. Hayes and seconded by Mr. Sheer to issue a Negative Determination of Applicability #3 with the condition the slope be stabilized and constructed at a 2 to 1 ratio. Ms. Catrone must inspect the slope. Unanimous.**

**NOI – DEP# 338-0585 –95 Tamarack Road -Petrazzuoli** –Ms. Catrone states the applicant has withdrawn the project.

**Motion made by Ms. Hayes, seconded by Mr. Sheer to accept the withdrawal. Unanimous.**

**NOI – DEP# 338-0 – 304 Clapboardtree Street - Themistocles** – At the October 14, 2015 hearing the Commission requested infiltration for a 1 inch storm and calculation for the amount of soil being moved on or off site, shown on a revised plan. The Commission asked that Ms. Catrone speak to DPW and see if the drainage easement in the rear of 66 Old Carriage could be maintained. The DPW director, Todd Krochin, said it could be maintained if necessary. This would need to be a winter project. Chris Hall is present and states the plans have been changed from last week. There is discussion regarding the compost sock and the trench. Mr. Hall states the compost sock detail is shown. The owners would like the driveway to be gravel except at circle and near street. The center of the island will be constructed as a rain garden. Mr. Rogers states ductal pipe should be used under the driveway. The Construction apron must consist of 3 inch stone for the first 50 feet of the driveway. Soil berm should be bumped up to 18 inches.

**Motion made by Ms. Hayes, seconded by Mr. Pare to issue an Order of Conditions with the following conditions: ductal line pipe must be used under the driveway, the Construction apron must consist of 3 inch stone for the first 50 feet of the driveway and the soil berm should be bumped up to 18 inches. Unanimous.**

**ANRAD- DEP#338-0 - 42 Mill Street - Vinci** – Present is Ms. Nicole Hayes, representing Goddard Consulting and Mr. Brian Donahue, peer review consultant. This Abbreviated Notice of Resource Area Delineation was opened before the snow fell last year and was put on hold until it could be properly reviewed. There were then some issues with the procurement procedure.

Ms. Catrone states she has walked the site with the delineator and third party peer reviewer and agrees with the peer reviewer's delineation.

Ms. Hayes, of Goddard Consulting, states the owner would like to close this hearing tonight and would like the project reviewed under only the Wetland Protection Act and withdrawn from review under the town bylaw.

Brian Donahue explains there is a pond, dam, intermittent stream and a perennial stream. He states there were a couple of issues; the perennial stream was not flagged and many of the flags were gone at the time of his first visit. He found a 5 foot to 10 foot difference in his delineation in some locations. Where the wetland ended he found a stream that joined up with a flagged wetland at the northern portion of the lot along the driveway. The dam had a spillway with a deep channel. There is also evidence of a vernal pool in the back of the lot. Mr. Donahue states clearly Mill Brook is a perennial stream. After reviewing historical photos, he found the pond became marshier in 2008 which may be due to a change in the area. Mr. Donahue shows pictures from 9/29/15 which were taken at a time when Westwood was in a moderate drought. This year was the driest in 125 years. He states there is a DEP "fail safe" which states the stream must be observed during a non-drought or low flow season. He states the setbacks overlap the entire site due to the wetlands.

Don Foley, abutter, states the owner has applied 3 times and has been denied each time.

Kevin McManus, abutter, states behind my house the stream is perennial.

Mr. Donahue agrees with his deception of the stream.

Ms. Hayes, of Goddard Consulting, states again the owner would like the filing to be withdrawn from review under the Westwood Wetland Bylaw.

John Rogers states he sees no reason to approve and every reason to deny this project based on what he has heard from the Conservation Agent and Mr. Donahue.

**Motion made by Ms. Hayes, seconded by Mr. Pare that the Request for Wetland Boundary Confirmation for the Bordering Vegetated Wetland, potential Vernal Pool and the Perennial Stream is inaccurate. This is an inaccurate delineation and inaccurate stream determination. Unanimous.**

Mr. Pare asks if the owner would like to donate the land to the town. If the owner donates the land to the town, the town would take responsibility for the dam repair.

**NOI – DEP#338-0613 –Police Station Development including the following parcels 590 High Street, 580 High Street, 582 High Street, 72 Deerfield Avenue, 90 Deerfield Avenue.**

The applicant is requesting a minor modification to the approved plans. Five parking spaces were added on the north side of the Deerfield school property, the American Legion parking lot lay out was revised to allow for fire apparatus approach, buffer zone restoration was included along the east side of the revised American Legion parking lot layout and the radius of curvature at the entrance to the connection of the Deerfield School property was increased to 150' to increase curbing and landscaping was added to the Deerfield Avenue Extension parking area.

**Motion by Ms. Hayes, seconded by Mr. Sheer, to approve the Request for a Minor Modification for the changes mentioned above. Unanimous.**

**Motion by Ms. Hayes, seconded by Mr. Sheer, adjourn the hearing. Unanimous.**