

**Town of Westwood**  
Commonwealth of Massachusetts



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

**CONSERVATION COMMISSION**

**Minutes: Conservation Commission Meeting Date: October 25, 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 October 25, 2023 was called to order at 7:00 p.m. in the Champagne Meeting Room, 50 Carby Street, with the following members present: Debra Odeh, Todd Sullivan, Vesna Maneva, Grace Weller, Michael Walsh and Stephen Harte. Member Elias Fares 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.

- Minutes to be Approved – February 8, 2023, March 22, 2023, June 14, 2023, September 13, 2023, September 27, 2023 and October 11, 2023.

**Motion made by Ms. Odeh, seconded by Ms. Weller to approve the minutes of October 11, 2023. Unanimous.**

**Action Items:**

1. 472 Summer Street – DEP #338-0716 - Request for Certificate of Compliance – Anderson – Present are Zoey Sanchez of Goddard Consulting and Edmond Spruhan and Guillermo Beltran of Spruhan Engineering. Mr. Sullivan states this Action Item was continued from the last meeting to allow the Commission to visit the site to inspect the plantings. Ms. Odeh and Ms. Maneva visited the site last Friday afternoon and provided their comments to the applicant's engineer. Ms. Catrone and Mr. Sullivan visited the site this morning. Ms. Odeh states they noticed a lot of trash and lawn clippings in the woods. Ms. Sanchez states she believes the trash has been removed. If this has not been done the owner will have it removed immediately. The owner has been very cooperative. Ms. Catrone states there is a small stand of Japanese knotweed and some Oriental bittersweet near the street end of the new plantings. This should be removed. Mr. Sullivan states if the Commission wishes to approve tonight, Ms. Catrone can hold the Certificate of Compliance until these issues have been corrected. Mr. Sullivan asks for public comment. Present are Page and Sarah Cochran of 126 Westfield Street. Sarah Cochran states we have issues with the stormwater management plan. The stormwater management plan was supposed to address the runoff that was created by the development of the property. In the Spring of 2021 there were several meetings where the applicant presented plans to eliminate water coming onto our property at 126 Westfield Street, flooding the property and causing erosion. The previous topo of the land (pre-construction) there was a depression which caught the runoff from 480 Summer Street. Ever since the property at 472 Summer Street was established the runoff that previously went into the depression comes down the side of that property and floods out our property excessively. Ms. Cochran asks if any of the commissioners were able to read and view the video and materials that she sent over. Ms. Maneva states we did see the videos and material. We also met the civil engineer on site. He was there to explain their concept and what it addresses. They have installed a series of catch basins that are capturing the runoff from that particular property. The runoff from the uphill property (480 Summer Street) could not be completely captured because this is someone else's property. Sarah Cochran states the grade on the Anderson's property is still above the driveway which is blocking the water and keeping it in the driveway.

Page Cochran states the reason this runoff is occurring is because the Andersons changed the entire grading. They developed the entire property and did not have proper permits. They did not follow the correct process and so this water cannot form the pervious water patterns. As part of those meetings in Spring of 2021, it was stated that the stormwater management plan needs to reestablish the runoff patterns that previously existed.

Ms. Maneva states there has to be a reasonable approach, and I think the Andersons have tried to accommodate. Sarah Cochran states the water should not be flowing down to our property. The runoff should be captured on the Andersons' property because that is where it was previously captured. The developed drainage structures are not capturing it. The swale that was mentioned is in a place that does not intercept the water flow. It's basically useless. The Andersons have filled in part of 480 Summer Street's property during their construction. They don't own that section that is along both sides of the easement. That grading should be lower than it is. Part of 2021 meetings stated that they needed to return this to its original conditions which would have slowed the runoff down. They did not do what was stated in those meetings.

Ms. Maneva asks if the plan was reviewed by BETA Engineering.

Ms. Catrone states yes.

Ms. Maneva states BETA's assessment of the Anderson's property is that they have done all they could do in terms of capturing the stormwater on their property.

Sarah Cochran states the corner of the sport court is shown as removed on the plan. This has not been done and they installed a PVC pipe on the other side of their property. The pipe is not shown on the plan. There are a lot of discrepancies on this plan.

Mr. Spruhan states I am the design engineer on this project. There is a net decrease of discharge post construction. There is a sizeable catchment area coming down off the hill that's being caught at the back of the sports court. There is a catchment there that water made its way to the discharge point that is now being captured. The swale was put in the only location that it could be placed. This captures a sizable amount of water that is coming down the wrong way. In the meetings that were mentioned earlier, I was very clear to say that I would have put a catchment in the roadway and put an infiltration system on the other side. Mr. Anderson was completely open to doing this but it is not his property and he did not have the right to do it. It is my opinion that we are in compliance. Nothing more can be done with this without agreement of the driveway owner and the owner of 472 Summer Street Sarah Cochran states you shouldn't have to construct on someone else's property to make newly established property.

Mr. Sullivan asks if any of that water coming off the Anderson's property, which is caught in the swale is generated from the roadway?

Mr. Spruhan states this is generated from the roadway. It did make its way to the Andersons' property per construction. The swale captures everything that is above the swale that makes its way across the roadway. There is some runoff that does not make its way across the roadway, but that never made its way across the roadway.

Mr. Sullivan asks if the runoff that is beyond the swale going down the slope, has this volume changed.

Mr. Spruhan states at the discharge point it has been reduced. There is a small portion beyond this swale that has increased, but the Andersons are capturing the side of the hill that was never captured before. That is what is causing the decrease.

Sarah Cochran states we did not have runoff to our property prior to this construction.

Page Cochran states there is an exceptional amount of water that is going along the side of the easement on the Anderson side that is not being captured.

Ms. Catrone states she and Phil Paradis of BETA were out there during a major rain event. At that time the grade of the swale was too high so we had them lower it.

Sarah Cochran states the construction completely raised the grade so the water can't get where it needs to go. Why couldn't they put a swale further down the driveway?

Mr. Sullivan states I think if you listen to them, I believe they were willing to do that but that is not the Andersons' property. The three property owners should sit down and talk about this.

Page Cochran asks why the fill on the side of the driveway was not removed.

Mr. Spruhan states the surveyors were told to get off the property. The contractors did not go on the 480 Summer Street property. Mr. Anderson was open to anything but he wasn't able to access the property.

Ms. Maneva states the trees and sport court are not on the applicant's property.

Sarah Cochran states it was discussed that the sport court would be removed from the neighboring property but this work has not been done and the plan shows it removed. The problem with the sport court is it sits higher.

Ms. Odeh states there were two discharge pipes that are not shown on the plan.

Sarah Cochran asks why the Commission would approve an inaccurate plan.

Ms. Odeh states the plan should show what is actually there.

Mr. Spruhan states he will go back out and double check on these differences.

**Motion made by Ms. Weller, seconded by Ms. Odeh, to continue 472 Summer Street to November 8, 2023 at 7:00 pm at 50 Carby Street. Unanimous.**

2. 32 Clearwater Drive – DEP #338-0652- Request for Certificate of Compliance – Brenner - Mr. Sullivan states he and Ms. Catrone visited the site this morning. The applicant had an Order of Conditions to expand the lawn and they were required to do mitigation planting. The plants are in and look very healthy.

**Motion made by Ms. Maneva, seconded by Ms. Weller to close the Action Item for 32 Clearwater Drive. Unanimous.**

**Motion made by Ms. Maneva, seconded by Ms. Odeh to issue a Certificate of Compliance for 32 Clearwater Drive. Unanimous.**

3. 109 Country Lane – DEP #338-0705 - Request for Certificate of Compliance – Mellor – Ms. Catrone states this request has been withdrawn.

4. 326 – 350 Blue Hill Drive – DEP #338-0750 and #338-0751 – Request for Minor modification – Petrozzi – Present is Lou Petrozzi requesting a minor modification to relocate the watermain to the right and rear of Lot 1. Mr. Petrozzi was present at the September 13, 2023 meeting and received a negative determination to move the waterline between lots 2 and 3 but would like to move the line to the right and rear of lot 1 because there is already an easement in this location.

Mr. Sullivan states if you put the easement between lots 2 and 3 the applicant could not plant the required trees.

Mr. Petrozzi states that is correct. He states the new owners could not put a fence up if they desired.

**Motion made by Ms. Maneva to close the Action Item. There is no second. Motion fails.**

Ms. Weller states she would like to have more discussion.

Ms. Maneva states it appears to her that the wetland is an old detention basin and the area is very disturbed due to the existing easement.

Mr. Petrozzi states we could add more shrubs along the easement.

**Motion made by Ms. Weller, seconded by Ms. Odeh, to continue the hearing to November 8, 2023 at 7:00 pm at 50 Carby Street to allow the Commission to visit the site at their convenience. Unanimous.**

#### **Public Hearings:**

##### **22 Everett Street – Notice of Intent – DEP #338 -0754 - Petruzzello**

Mixed Use

**Motion made by Ms. Weller, seconded by Ms. Odeh, to continue the hearing to November 8, 2023 at 7:00 pm at 50 Carby Street to allow the applicant to get approval from the Planning Board. Unanimous.**

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

Dam repair and access road – Continue from 9/27/23

**Motion made by Ms. Weller, seconded by Ms. Odeh, to continue the hearing to November 8, 2023 at 7:00 pm at 50 Carby Street to allow BETA to complete the peer review. Unanimous.**

##### **97 Blueberry Lane – Stormwater Notice of Intent – SMP # ? – Vaughn**

Tear down and rebuild

**Motion made by Ms. Weller, seconded by Ms. Odeh, to continue the hearing to November 8, 2023 at 7:00 pm at 50 Carby Street to allow BETA to complete the peer review. Unanimous.**

##### **100 Farm Lane- Notice of Intent - DEP #338-0761 – Vernon/Culgin**

Soak pool, patio and sport court

The Commission opened the public hearing and reviewed copies of the Notice of Intent (NOI) for 100 Farm Lane, including the following:

1. DEP form 3 Notice of Intent submitted on September 6, 2023, by Mark Allen, Allen Engineering & Associates, Inc of 140 Hartford Avenue East, Hopedale, MA 01747, including twenty-seven (27) pages;
2. Plan – “SITE DESIGN PLAN FOR 100 FARM LANE IN WESTWOOD, MA”, dated September 5, 2023, revised October 24, 2023, submitted by Allen Engineering & Associates, including one (1) sheets;

Present are Zachary Vernon and Jonathan Scanlon, requesting an Order of Conditions to install a Soak Pool, basketball court and new patio area in the rear yard of 100 Farm Lane.

Mr. Scanlon states we had a site walk on October 23, 2023 and the largest issue was the swale on the left rear of the property. We discussed cleaning the swale and adding plantings 4 feet from the inlet. We have shown the sport court on the plan as pervious.

Mr. Sullivan states he would like to do a site walk with BETA.

**Motion made by Ms. Maneva, seconded by Ms. Weller to continue the hearing for 100 Farm Lane to November 8, 2023 at 7:00 pm at 50 Carby Street to allow BETA to take a look at the site. Unanimous.**

**Motion by Ms. Odeh, seconded by Ms. Weller, to adjourn the meeting. 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:** 11/8/23 – in person meeting

**Note:** Agenda items and order subject to change