

**Town of Westwood**  
Commonwealth of Massachusetts

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



Karon Skinner Catrone, Conservation Agent  
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**CONSERVATION COMMISSION**

**Minutes: Conservation Commission Meeting Date: January 11, 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 January 11, 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, Todd Sullivan, R. J. Sheer, Debra Odeh, Grace Weller and Elias Fares. Member Vesna Maneva was absent. Also present is Karon Skinner Catrone, Conservation Agent. Mr. David announces this meeting is being recorded.

**Action Items:**

1. 48 High Rock Street – DEP #338-0717 – Request for Certificate of Compliance – Fernando Castro, homeowner, is present.

Ms. Catrone states the owner is requesting a Certificate of Compliance for the construction of a sunroom addition. The rear yard is stabilized and down spouts are tied into an infiltration system.

**Motion made by Mr. Sullivan, seconded by Mr. Sheer, to issue a Certificate of Compliance. Unanimous.**

2. 7 Longmeadow Drive – DEP #338-0714 – Request for Certificate of Compliance – Leonard Barbieri is present. Ms. Catrone states there are several deviations to the plan. The engineer did not think it was necessary to request a minor modification because the changes are less impacting to the wetland.

Mr. David explains to the owner that the Commission likes to have a paper trail of changes. He requests the owner request a Minor Modification and a Certificate of Compliance at the next meeting.

**Motion made by Mr. David, seconded by Ms. Weller, to continue this Action Item to January 25, 2023 at 7:00 pm. to allow the applicant to submit a request for Minor Modification. Unanimous.**

**Public Hearings:**

Mr. David states the following hearings will be continued to the January 25, 2023 meeting at 7:00 pm.:

**215 High Street – Stormwater Land Disturbance – JMF Private Investments**

New home, barn improvements and new arena

**Motion made by Mr. David, seconded by Mr. Sullivan, to continue this hearing to January 25, 2023 at 7:00 pm. Unanimous.**

**510 Far Reach – Stormwater Land Disturbance – Cabral** – Continued from 12/14/22

The construction of a new single-family house and landscaping

**Motion made by Mr. David, seconded by Mr. Sullivan, to continue this hearing to January 25, 2023 at 7:00 pm. Unanimous.**

**131 Bay Colony Drive - Notice of Intent –DEP #338-0743 – Hess** – Continued from 12/14/22

In-ground swimming pool

**Motion made by Mr. David, seconded by Mr. Sullivan, to continue this hearing to January 25, 2023 at 7:00 pm. Unanimous.**

**Downey Street - Notice of Intent –DEP #338-0745 – Town of Westwood** - Sidewalk

The Commission opened the public hearing and reviewed copies of the Notice of Intent (NOI) for the Downey Street side walk project, including the following:

1. DEP form 3 Notice of Intent submitted by Jonathan Rockwell, TEC Inc., 282 Merrimack Street, 2<sup>nd</sup> floor, Lawrence, MA 01843, including forty (40) pages;

2. Plan – COMPLETE STREETS IMPROVEMENT PROJECT PLAN OF DOWNEY STREETS SIDEWALK IN THE TOWN OF WESTWOOD NORFOLK COUNTY dated 12/20/22, submitted by TEC Inc, including ten (10) pages;

Present is Jonathan Rockwell of TEC Inc. proposing improvements including ADA/AAB accessible curb ramps, sidewalk connections, crosswalks and pavement markings. The project consists of sidewalk construction along the south side of Downey Street as part of the town's successful application for a Complete Streets Project Grant. Ms. Catrone states Todd Korchin, Superintendent of Public Works has reviewed the plan and is satisfied with the design. A Scenic Roads application has been submitted to the Planning Board (to be heard February 7, 2023) for removal of approximately 35 trees within the public rights-of-way of Downey Street.

Mr. Rockwell states this project is high priority to improve safety for students. The resource area was flagged in June. There is a steep slope and guard rail. We are proposing a silt fence and compost sock as erosion control. A stone rock slope is proposed. There are 34 trees proposed to be removed, 19 of which are smaller than 4".

Mr. Fares asks what season the work will be done.

Mr. Rockwell states it will go out to bid this winter, work should start in the spring.

Ellen Rollings is present and asks about tree replacement.

Mr. Rockwell states we are proposing 2 large trees as replacement.

The Commission discusses more replacement trees. They would like to see 10 replacement trees.

Ms. Catrone states she will speak with Todd Korchin, Superintendent of DPW and ask if they are willing to add 10 replacement trees to the plan.

**Motion made by Mr. David, seconded by Mr. Sullivan to continue the hearing for the Downey Street sidewalk project to January 25, 2023 at 7:00 p.m. to allow Ms. Catrone to check with DPW to see if they are willing to replace 10 trees. Unanimous.**

#### **244 Farm Lane - Notice of Intent –DEP #338-0746 – Wallace**

Addition

The Commission opened the public hearing and reviewed copies of the Notice of Intent (NOI) for 244 Farm Lane, including the following:

1. DEP form 3 Notice of Intent submitted by David Cowell, Hancock Associates, 315 Elm Street, Marlborough, MA 01752, including fourteen (14) pages;
2. Plan – “#244 FARM LANE WESTWOOD, MASSACHUSETTS 02090” Sheets 1-2, dated 12/16/22, last revised 1/11/23 submitted by Hancock Associates and “Residence 244 Farm Rd. Westwood, MA Landscape Plan” submitted by James K. Emmanuel Associates of 22 Carlton Rd., Marblehead, MA, dated December 20, 2022, including one (1) page;

Present is David Cowell of Hancock Associates proposing the construction of an addition off the rear right side of the existing house. The foundation will be a crawl space.

Mr. Cowell states DEP had the following comment “Since the lot was created prior to August 1996 and is also a previously developed RFA lot that contains degraded areas, the project should be filed under 310 CMR 10.58(5), not 10.58(4)(c) and (d). Only if the previously developed lot did not contain degraded area(s) in the RFA would the proponent need to meet 310 CMR 10.58(4). Therefore, the proponent must demonstrate how the criterion for 310 CMR 10.58(5)(a) through (h) are being met, including providing a restoration or mitigation area (See 310 CMR 10.58(1)(f) and (g)).

He states the Riverfront Area on the lot is 74,000 sq. ft. so our development is far under the 10%. The plan is showing infiltration, invasive removal and replanting as mitigation which exceeds the 1 to 1 required mitigation.

The restoration plan is shown on the plan.

Ellen Rollings is present and asks if chemicals will be used.

Mr. Cowells states we may use a cut and dab approach. If we use chemicals we will notify the Commission.

Eleven (11) trees (9 within the Riverfront Area) will be removed. We will be planting 7 new trees and sixty shrubs.

**Motion made by Ms. Weller, seconded by Mr. Sullivan to issue an Order of Conditions with the condition the Commission is notified if and what chemicals will be used. Unanimous.**

#### **210 Westfield Street – Request for Determination – MacIntyre**

Fence in yard

The Commission opened the public hearing and reviewed copies of the Request for Determination of Applicability (RDA) for 210 Westfield Street, including the following:

1. DEP form 1 Request for Determination of Applicability (RDA) submitted by Blair Macintyre, owner, Carby Street Municipal Building • 50 Carby Street • Westwood, MA 02090

- including ten (10) pages;
2. Plan – marked up plan titled “CONSERVATION COMMISSION AS-BUILT PLAN 210 WESTFIELD STREET WESTWOOD MA” dated 11/2/06 by Norwood Engineering Company, Inc. of 1410 Route One, Norwood, MA 02062, including one (1) page;

Present is Blair Macintyre, owner, requesting a negative determination to fence in his yard for his dogs.

**Motion made by Mr. David, seconded by Mr. Sheer, to issue a negative determination with the conditions Ms. Catrone mark the 10 foot no disturb zone, no work is conducted within 10 feet and not heavy equipment is to be used within 100 feet of the wetland line. Unanimous.**

Mr. David recuses himself from the next hearing and leaves the room.

**490 Gay Street – ANRAD –DEP #338-0742 – Petrozzi** – Continued from 12/14/22

Wetland boundary confirmation

The Commission opened the public hearing and reviewed copies of the Abbreviated Notice of Resource Area Delineation (ANRAD) for 490 Gay Street, including the following:

1. DEP form 4A Abbreviated Notice of Resource Area Delineation submitted on October 11, 2022 by Lou Petrozzi of P.T. Really Investors LLC, 2 Warthin Circle, Norwood MA 02090, including fifty-two (52) pages;
2. Plan – WETLAND DELINEATION PLAN ‘490 GAY STREEET’ WESTWOOD, MASSACHUSETTS submitted by GLM Engineering Consultants, Inc., dated September 21, 2022, revised November 21, 2022, including one (1) page;

Present is Lou Petrozzi of P.T. Really Investors LLC, 2 Warthin Circle, Norwood MA 02090.

Mr. Petrozzi states the Commission required a peer review of the BVW and Riverfront. The review estimate was too expensive. He is proposing that only BVW and Riverfront from A-1 to A-53 and GC-1 to GC-93 be reviewed. The flags in the rear of the property can be reviewed at a later date.

**Motion made by Mr. Sullivan, seconded by Mr. Sheer, to continue the hearing to January 25, 2023 at 7:00 pm. to have Ms. Catrone ask the peer review consultants for their estimate to be divided into 2; Flags A-1 to A-53 and GC-1 to GC-93 to be reviewed now and the remaining flags to be reviewed at a later date.**

**Unanimous.**

Mr. David returns to the meeting.

**110 Arcadia Road – Request for Determination – Musto** – Continued from 12/14/22

Clearing of trees and brush.

The Commission opened the public hearing and reviewed copies of the Request for Determination of Applicability (RDA) for 110 Arcadia Road, including the following:

1. DEP form 1 Request for Determination of Applicability submitted by Craig Cygawnoski of Rim Engineering Co, Inc. of P.O. Box 32 Mansfield, MA 02048 submitted on October 4, 2022, including seven (7) pages;
2. Plan – PROPOSED LAND CLEARING 110 ARCADIA ROAD IN WESTWOOD, MA submitted by Rim Engineering Co., Inc., dated October 4, 2022, including one (1) page;

Present is Mario Musto requesting a negative determination to clear 3,600 sq. ft. of trees and shrubs and move blueberry bushes to an area along the fence line.

Ms. Odeh asks why take down mature trees to plant small trees.

Mr. Musto states he will be submitting an NOI to tear down the existing house and pool and rebuild farther back on the property.

**Motion made by Mr. Sullivan, seconded by Mr. Sheer to issue a negative determination #3. Ms. Odeh and Ms. Weller are opposed. Vote passes 4 to 2.**

**7 Little Boot Lane – Notice of Intent –DEP #338-0? – Champion** – Continued from 12/14/22

Addition

The Commission opened the public hearing and reviewed copies of the Notice of Intent for 7 Little Boot Lane to construct three additions, including the following:

1. WPA Form 3 – Notice of Intent submitted by the Field Resources, Inc. of 281 Chestnut Street, Needham, MA 02492 on August 23, 2022, including fourteen (14) pages;
2. Plan – CONSERVATION PLAN OF LAND 7 LITTLE BOOT LANE WESTWOOD, MASS., drawn by Field Resources, Inc. dated August 3, 2022, including one (1) page;

Present is Paul Beaulieu of Field Resources, Inc. requesting a Notice of Intent on behalf of the owners of 7 Little Boot Lane.

Ms. Catrone states DEP had the following comment:

The WPA form is incorrect as the project is NOT a buffer zone only project as it is in Riverfront Area. As proposed the project does not appear to be permittable. The proponent must demonstrate how the proposed project meets the performance standards for redevelopment within previously developed riverfront area at 310 CMR 10.58(a-g).

Mr. Beaulieu states he was not aware of this comment.

Mr. David states the applicant need to show in writing how the project meets the performance standards.

Mr. Beaulieu request a continuance to prepare documentation to show how this project meets the performance standards.

**Motion made by Mr. David, seconded by Ms. Weller, to continue this hearing to January 25, 2023 at 7:00pm. Unanimous.**

**Discussion Items:**

1. Minutes of October 26, 2022

Mr. David states we have a resident that is looking for clarification on the vote taken at the October 26, 2022 meeting to replace the inadvertently cleared land at 790 Gay Street with 115 trees. He states the number of replacement trees was reduced because the replacement tree size and guarantee time was increased. This was the suggestion of the landscape architect working for the town.

**Motion made by Mr. Sullivan, seconded by Ms. Weller, to adjourn the meeting. Unanimous.**

**Upcoming Meeting: 1/25/23**

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