

**Town of Westwood**  
Commonwealth of Massachusetts

John Rogers, Chairman  
Stephen David  
Vesna Maneva  
Debra Odeh  
Todd Sullivan  
Todd Weston



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**CONSERVATION COMMISSION**

**Minutes: Conservation Commission Meeting Date:  
Wednesday, October 12, 2022  
Minutes**

**7:00 p.m. - Call to Order**

The Westwood Conservation Commission meeting of Wednesday September 14, 2022, at 7:00 PM. is being held through Zoom pursuant to Governor Baker's June 16, 2021, Order extending Certain Provisions of the Open Meeting Law MGL C. 30A, §18, and an extension to allow for remote participation until July 15, 2022; the October 12, 2022, [Conservation Commission Meeting](#) will be conducted via remote participation by the Board.

**Please click the link below to join the webinar:**

<https://us02web.zoom.us/j/87356667790?pwd=RUR6RXJ2RmZ3VnRwb2t5SU1lY0hRUT09>

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**Webinar ID: 873 5666 7790**

The following members are present: Debra Odeh, acting chairperson, Elias Fares, R.J. Sheer and Grace Weller. Conservation Agent, Karon Skinner Catrone is also present.

Ms. Odeh announces this meeting is being recorded.

**Approval of Minutes:** Consideration of Minutes for Meeting of March 23, 2022 and September 14, 2022.

Ms. Catrone states she was on vacation the past two weeks and did not have time to complete the minutes.

**Motion made by Mr. Sheer, seconded by Ms. Weller to continue the minutes to October 26, 2022 at 7:00 pm.**

**Unanimous.**

**Executive Session:** The Conservation Commission will be going into Executive Session for issues pursuant to G.L. c.30A, s21 (1)(3) to discuss strategy with respect to a litigation matter, Joanne Delapa of Delapa Realty Trust v. Town of Westwood Conservation Commission 2282CV00038, the discussion of which would have a detrimental effect on the position of the governing body if discussion were in open session. The Commission will return to open session.

**Motion made by Ms. Weller, seconded by Mr. Sheer to enter into Executive Session for issues pursuant to G.L. c.30A, s21 (1)(3) to discuss strategy with respect to a litigation matter, Joanne Delapa of Delapa Realty Trust v. Town of Westwood Conservation Commission 2282CV00038, the discussion of which would have a detrimental effect on the position of the governing body if discussion were in open session. The Commission will return to open session. The Commission is polled – Ms. Odeh votes yes, Ms. Weller votes yes, Mr. Sheer votes yes and Mr. Fares votes yes. Unanimous.**

**The Commission returns to Open Session.**

Ms. Odeh states the following matters will be continued to the October 26, 2022 meeting at 7:00 pm.

**Hanlon Elementary School project – DEP #338-0725 – Inadvertent Tree Removal** – Town of Westwood  
**Motion made by Mr. Sheer, seconded by Ms. Weller, to continue the discussion for the Hanlon Elementary School to October 26, 2022 at 7:00pm to allow BETA to complete their peer review. Unanimous.**

**7 Little Boot Lane – Notice of Intent –DEP #338-0? – Champion**  
**Motion made by Mr. Sheer, seconded by Ms. Weller to continue the hearing for 7 Little Boot Lane to October 26, 2022 at 7:00pm to allow the applicant to speak to the building department regarding the enlargement of the in-law apartment. Unanimous.**

**25 Fox Meadow Drive – Land Disturbance Permit – Andrews**  
**Motion made by Ms. Weller, seconded by Mr. Sheer to continue the hearing for 25 Fox Meadow Drive to October 26, 2022 at 7:00pm to allow BETA to complete their peer review. Unanimous.**

**Stockpiling of invasive plants on island at Perry Crouse Pond**  
**Motion made by Ms. Weller, seconded by Mr. Sheer to continue the Discussion Item for Stockpiling of invasive plants on island at Perry Crouse Pond to October 26, 2022 at 7:00pm. to allow Mr. David to be present for this discussion. Unanimous.**

**Action Items:**

1. Possible Action with respect to a litigation matter, Joanne Delapa of Delapa Realty Trust v. Town of Westwood Conservation Commission 2282CV00038 – Present is Daniel Bailey, Special Town Counsel.  
Mr. Bailey state he has been working with Pat Ahern, Town of Westwood Town Counsel on the settlement with Delapa Realty Trust, which he is recommending the Commission agree. DEP’s Order of Conditions will become Westwood Conservation Commission Order of Conditions. The settlement requires the applicant repair the dam that is on the site. The dam must be repaired before the applicant can receive a building permit. He states the Order of Conditions has 63 Conditions which were recommended by the Commission.  
Artur Yudzinsky of 44 Mill Street states there are concerns with the driveway.  
Mr. Bailey states the Commission does not look at under lying legal issues. They do not have that knowledge. They can only consider the impacts to the wetland resource areas.  
Mr. Yudzinsky asks why he was not notified.  
Mr. Bailey states we were not required to notify abutters.  
Mr. Previtera asks if this was submitted under Article 18.  
Ms. Bailey states yes.  
**Motion made by Ms. Weller, seconded by Mr. Sheer to accept the settlement as explained by Town Counsel. Unanimous.**
2. Conservation Land Management Plan – BETA – Present is Jonathan Niro of BETA. Mr. Niro explains BETA has been contracted by the Westwood Conservation Commission to prepare an Open Space Plan. BETA has drafted the project scope to support the American Rescue Plan Act (ARPA). BETA anticipates developing an Open Space Plan with property-specific recommendations for three (3) of the most suitable properties as determined by the assessment using the following methodologies: Connectivity, Access, wetland preservation, floodplain preservation and flood control wildlife habitat, existing uses and popularity with the public, ground and surface water protection, capacity to support OSRP goals and education/interpretive opportunities.  
**Motion made by Ms. Weller, seconded by Mr. Sheer to accept scope from BETA and have them move forward with the plan. Unanimous.**
3. 790 Gay Street, Hanlon School Project – DEP #338-0725 - Inadvertent tree removal – Town of Westwood – Continued to 10/26/22 – previously continued.
4. 375 Nahatan Street – DEP #338-0695 – Request for Extension – Musto – Present is Holly Musto representing Andrew Musto who is requesting an extension of the Order of Conditions for 375 Nahatan Street. Ms. Musto states the project is not complete and the Order is due to expire November 19, 2022.  
**Motion made by Mr. Sheer, seconded by Ms. Weller to extend the project for six (6) months. Unanimous.**

5. 20-79 Abbey Road – SMP#034 – Request for Minor Modification – The Green Company – Present is Dan Green of the Green Company requesting a minor modification for the grading on site. Mr. Green states the project involves 42 (55 +) homes, seven (7) of which are affordable housing. They have updated the plan to show the existing grading on site. This grading has no impact to the drainage. The updated plans show one (1) foot contours. This grading allowed us not to export material from the site. The Commission agrees they have not issue with this modification but they would like to continue this discussion to the applicant has gone before the Planning Board.  
**Motion made by Mr. Sheer, seconded by Ms. Weller to continue this Action Item to October 26, 2022 to allow the applicant to be heard by the Planning Board on October 25, 2022. Unanimous.**
6. 32 Autumn Drive – DEP #338-0645 – Request for Minor Modification – Gobbi – Present is John Glossa of Glossa Engineering representing Chris Dimicco, owner of 32 Autumn Drive. Mr. Glossa states the Commission required the applicant make changes to the plan including: a mulch and shrubs area on the right side of the property, wetland boundary markers along the 35-foot no-disturb line (to be maintained as lawn) and three (3) trees on the left side of the property.  
**Motion made by Mr. Sheer, seconded by Ms. Weller to accept these changes as a minor modification to the approved plan.**
7. 34 Woodland Road – DEP #338-0683 – Request for Minor Modification – Crea – Present is John Glossa of Glossa Engineering representing Erin and Chris Crea. Mr. Glossa explains the conservation agent, an abutter and he met on site regarding concerns from the abutter that the water may flow out of the trench and to his property. He explains the applicant also installed the patio much larger than it was approved.  
**Motion made by Mr. Sheer, seconded by Ms. Weller to accept these changes as minor modifications to the approved plan with the condition the infiltration system is moved slightly to the right of the patio. Unanimous.**
8. 92 Pine Lane – DEP #338-0722 – Request for Minor Modification – Morrissey – Present is Brian Morrissey, owner of 92 Pine Lane requesting a minor modification to the approved plan for an after the fact installed patio in the rear yard. Mr. Morrissey states he will be planting three (3) trees instead of the required one (1) tree.  
**Motion made by Mr. Sheer, seconded by Ms. Weller to accept these changes as a minor modification. Unanimous.**
9. Stockpiling of invasive plants on island at Perry Crouse Pond – previously continued.
10. 366 Farm Lane – Enforcement Order – Work within the buffer zone and riverfront area – Ms. Catrone states an Enforcement Order was issued to the owners of 366 Farm Lane for a bridge that was constructed over a stream without approval from the Commission. John Anderson, owner of 366 Farm Lane is present and states the bridge has been removed. The Commission requests Ms. Catrone meet the owner at the site Monday morning at 9:00 to take a look.  
**Motion made by Mr. Sheer, seconded by Ms. Weller to continue this Action Item to October 26, 2022 at 7:00 pm. to allow Ms. Catrone to conduct a site visit. Unanimous.**

#### **Public Hearings:**

#### **37 Lake Shore Drive – Request for Determination – Calobrisi -**

In-law addition

The Commission opened the public hearing and reviewed copies of the Request for Determination of Applicability for 37 Lake Shore Drive to construct an in law apartment, including the following:

1. WPA Form 1 – Request for Determination of Applicability submitted by the owners of 37 Lake Shore Drive, Robert and Jane Calobrisi on July 14, 2022, including eight (8) pages;
2. Plan – 37 LAKESHORE DRIVE ROOFTOP DRAINAGE PLAN OF LAND IN WESTWOOD, MA, drawn by John Glossa of Glossa Engineering, Inc. of 46 East Street, East Walpole, MA, dated August 11, 2022, revised 10/6/22 including one (1) page;

Present is John Glossa of Glossa Engineering requesting a negative determination for an 848.5 sq. ft. in law apartment. Robert and Jane Calobrisi, owners, are also present.

Mr. Yudzinsky interrupts the discussion with questions regarding 44 Mill Street.

The Commission explains he should call Ms. Catrone tomorrow regarding this matter.

Discussion returns to the hearing for 37 Lake Shore Drive.

Mr. Glossa explains the owners would like to construct a 55' X 16' in law addition in the rear yard. Some work is within the 100' buffer zone. He is showing infiltration for a 1" storm. Mr. Sullivan asked to have test pits done but we would like to request this be done at the time the work is being done due to access issues.

The owners ask if the addition could be constructed off the deck. Mr. Sheer states we cannot approve this plan if you are not building this.

The owners state they would like to continue this hearing so they can speak with the building inspector.

**Motion made by Ms. Weller, seconded by Mr. Sheer, to continue this hearing to October 26, 2022 at 7:00 pm. to allow the owners to discuss the plans with the building inspector. Unanimous.**

Mr. Sullivan states if this was new construction we would want to look at soils.

The Commission agrees they would like to see a perk.

**7 Little Boot Lane – Notice of Intent –DEP #338-0? – Champion –** Continued to 10/26/22

Three (3) Additions (continued from 9/14/2022)

Previously continued.

**25 Fox Meadow Drive – Land Disturbance Permit – Andrews –** Continued to 10/26/22

Single-family home

Previously continued.

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

**Discussion Items:**

**Next meeting 10/26/22**

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