

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, July 27, 2022
Remote Meeting

7:00 p.m. - Call to Order

The Westwood Conservation Commission meeting of Wednesday July 27, 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 July 13, 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/86710007167?pwd=azREMm9aUHFtaDNocHRQSHJMc3U0QT09>

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Webinar ID: 867 1000 7167

The following members are present: Stephen David, Chairman, Todd Sullivan, Debra Odeh, and Grace Weller. Member Vesna Maneva is absent. Conservation Agent, Karon Skinner Catrone is also present.

Mr. David announces this meeting is being recorded.

Approval of Minutes: Consideration of Minutes for Meeting of January 12, 2022, January 26, 2022, February 16, 2022, March 9, 2022, March 23, 2022, May 5, 2022, June 8, 2022, and July 13, 2022. Tabled.

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; 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 when discussions are complete.

Motion made by Mr. David to enter Executive Session and return to open session when executive session has finished. The Commission is polled – Mr. David votes yes, Mr. Sullivan votes yes, Ms. Odeh votes yes and Ms. Weller votes yes. Unanimous.

The Commission returns to Open Session.

Action Items:

1. 457 Canton Street – NO DEP - Request for Certificate of Compliance – Ms. Catrone explains that this is an old Order and the file has been achieved. There is no DEP file number associated with this project because the filing was done under the town's bylaw only. A site visit was done on 7/25/22. She states she did not find any wetland resource areas but did find a grate. There has been no impact to the area of the grate.

Motion made by Ms. Weller, seconded by Mr. Sullivan to issue a Certificate of Compliance for 457 Canton Street. Unanimous.

2. Eagle Scout Project – Eagle Scout Candidate, Ali Tariq, is present to discuss his proposed Eagle Scout project. Mr. Tariq state he is proposing an educational sign at Buckmaster Pond which will identify vegetation in the area. He will be starting the work in early August.

The Commission thanks Mr. Tariq for his volunteer work in the town.

3. 92 Pine Lane – DEP #338-0722 – Request for Minor Modification – Morrissey

Present is Brian Morrissey, owner, requesting to remove the approved dry well and rain garden from the plan and add patio. After much discussion, the Commission agrees that the applicant must work with his engineer to redo the calculations and revise the plan or construct the project as approved.

Motion made by Mr. David, seconded by Mr. Sullivan, to continue this Action Item to allow the applicant to work with his engineer on a revision to the plan or construct the project as approved. Unanimous.

4. 32 Autumn Drive – DEP #338-0645 – Request for Extension – Gobbi

John Glossa of Glossa Engineering is present representing the owner of 32 Autumn Drive.

Mr. Glossa states the applicant is requesting a one-year extension to modify the approved plan. He states the Order was extended under the Covid Extension Act.

Motion made by Mr. David, seconded by Mr. Sullivan, to issue an Extension Permit to extend Order of Conditions DEP #338-0645 for one year. Unanimous.

5. 32 Autumn Lane – DEP #338-0645 – Request for Minor Modification – Gobbi

John Glossa of Glossa Engineering, is present representing the owner of 32 Autumn Drive.

The applicant is requesting a minor mod to include a bump out on driveway (outside the buffer and existing), add a patio in rear yard and remove ragweed and replant shrubs on the southwest side of the yard. These changes area shown on the plan titled “DEP FILE NUMBER #338-0645 #32 AUTUMN DRIVE LOT 20A AUTUMN DRIVE MODIFICATION PLAN OF LAND IN WESTWOOD, MA”, submitted by Glossa Engineering, Inc. of 46 East Street, East Walpole, MA, dated July 18, 2022.

Mr. Glossa states the builder did encroach into the 35-foot buffer along the right side yard area near the erosion control line.

Ms. Catrone states the construction fence should be removed or reinstalled correctly if the Commission chooses to allow the owner to work on the site.

Mr. Glossa states the builder created lawn, within the 35-foot buffer, on the right side of the property that the Commission voted to remain natural. The area does encroach into the 35-foot buffer. The owners would like this area to remain lawn. They would like to install the required “No Disturb Markers” as shown on the modification plan. They would like the

turn- around portion of the driveway to remain. An infiltration trench will be added as shown on the plan. The owners would like to install 25’ x 15’ patio in the rear of the house. They would also like to remove weeds from the south west corner of the yard and replant with grass and shrubs because dumping is occurring in this area.

After much discussion regarding the location of the “No Disturb Markers” and the vegetation removal the Commission agrees the owner can eliminate the markers shown in the 35-foot buffer, lawn area. The area of vegetation removal must be planted with shrubs and the owner must plant trees on the north side of the property.

Motion made by Mr. David, seconded by Mr. Sullivan, to continue this hearing to allow Mr. Glossa to revise the plan to reflex the agreed upon changes. Unanimous.

6. 34 Woodland Road – DEP #338-0683 – Request for Minor Modification - Crea

Present is John Glossa of Glossa Engineering, 46 East Street, East Walpole, MA, representing the owners of 34 Woodland Road.

Ms. Catrone explains the contractor installed granite curbing on the edges of the driveway. This area was supposed to be crushed stone and serve as an infiltration trench to catch the runoff from the driveway which was supposed to be sloped toward the trench. The patio in the rear of the property is MUCH larger then approved. The owners stated that they requested a modification for this modification but I am unable to find it.

Mr. Glossa explains the owners would like to leave the granite curbing and put slot drains along the curbing.

Mr. Sullivan state we need to see a new survey of the property.

Motion made by Mr. David, seconded by Mr. Sullivan, to continue this Action Item to allow Mr. Glossa to do a new survey of the property. Unanimous.

7. 410 Sandy Valley Road – DEP #338-0624 – Request for Extension – Jaeger

Ms. Catrone explains the applicant has requested a one-year extension to complete construction.

Present is Robert Lawrence, of Robert Lawrence Builders, Inc., 255 Clapboardtree Street, Westwood, MA 02090.

Motion made by Mr. David to extend the Order of Conditions for one year. Seconded by Ms. Odeh.

Unanimous.

8. 410 Sandy Valley Road – DEP #338-0624 – Request for Minor Modification – Jaeger

Present is Robert Lawrence, of Robert Lawrence Builders, Inc., 255 Clapboardtree Street, Westwood, MA 02090.

Mr. Lawrence states the applicant would like to bring electric up the driveway instead of the wooded area. The conduit is already in place. The applicant would also like to eliminate the trench along the driveway. There will be a cross slope toward the right side of the driveway so the water will run off on the grass on the right hand side of the driveway.

Motion made by Mr. David to allow the trench along the driveway be eliminated and the driveway be sloped to allow runoff to flow over the grass. Unanimous.

9. Enforcement Order – 366 Farm Lane – Anderson

Ms. Catrone states the applicant has constructed a bridge without a Notice of Intent or building permits. There may also be some damming of the brook and pipes have been placed in the water. She suggests the commission do a site visit.

Mr. Anderson is present and states he construction the bridge for his wife.

Mr. David states the owner should hire an engineer and come back to the Commission with a Notice of Intent then the Commission will do a site visit.

Motion made by Mr. David, seconded by Mr. Sullivan to continue this Action Item to September 14, 2022, as a public hearing and required a Notice of Intent. Unanimous.

Public Hearings:

394 Providence Highway – Notice of Intent – Colbea – continued from July 13, 2022

New gas station and associated utilities and parking

Ms. Catrone states she is still waiting for responses to BETA's peer review comments.

Motion made by Mr. Sullivan, seconded by Ms. Odeh, to continue this hearing to September 14, 2022 at 7:00 pm.

80 Carby Street – Notice of Intent – Hale – Continued from July 13, 2022

Pond maintenance program to control nuisance vegetation

Ms. Catrone explains Hale is proposing a 5-year aquatic vegetation management plan to remove aquatic nuisance and invasive species using Sonar, ProcellaCOREC herbicide Clearcast herbicide as well as possible use of non-chemical techniques. There is also a NOI before the Dover Conservation Commission.

Ms. Catrone states this hearing was continued from July 13, 2022 to allow the applicant to address comments from the Dover Conservation Commission. The Dover Agent has recommended that the Dover Concom defer approval of the project pending submittal of additional information. This information has been received.

Present is Carl Neelsen of TRC, 404 Wyman Street, Suite 375, Waltham MA 02451.

Mr. Neelsen states the use of vegetation control will vary in the pond in both Dover and Westwood. He states responses to Dover's comments have been submitted in a report from TRC, dated 7/20/22, addressed to John Sullivan, Chair, Dover Conservation Commission, P. O. Box 250, Dover, MA 2030-0250. He states a monitoring report will be provided to both the Dover and Westwood Commission each spring of this long term management plan, which they plan will get to a point that the vegetation can be controlled without herbicides.

Motion made by Mr. David, seconded by Mr. Sullivan to approve this project subject to the review of the Conditions from the Dover Conservation Commission. Unanimous.

219 Far Reach Road – Request for Determination – Rosa - Continued from July 13, 2022

Spa to be installed in outside patio

Ms. Catrone states this is an after the fact filing for trenches dug to service a plunge pool. Erosion control has been installed at the site. There are currently piles of un-stabilized soil on the site. This hearing was continued at the 7/13/22 meeting because the owners were not present.

Present are Peter and Maria Rosa, owners of 219 Far Reach Road. Mr. Rosa states we would just like to put everything back the way it was.

Motion made by Mr. David, seconded by Ms. Weller to issue a Negative Determination with the condition the buffer zone is returned to the original grade and work be completed by September 14, 2022. Unanimous.

Right of Way - Request for Determination – Amtrak

Vegetation removal

Ms. Catrone states this project was discussed and approved at the 6/8/22 meeting but it was advertised incorrectly. It has been re-advertised correctly.

Mr. David asks for public comment regarding this project and recognizes there is none.

Motion made by Mr. David, seconded by Mr. Sullivan, to issue a negative determination to allow the required vegetation removal. Unanimous.

Right of Way - Request for Determination – MASS Costal Railroad

Vegetation removal

Ms. Catrone states this project was discussed and approved at the 6/8/22 meeting but it was advertised incorrectly. It has been re-advertised correctly.

Mr. David asks for public comment regarding this project and recognizes there is none.

Motion made by Mr. David, seconded by Mr. Sullivan, to issue a negative determination to allow the required vegetation removal. Unanimous.

Discussion Items:

1. Potential Tree policy/ordinance/bylaw
<https://www.mass.gov/doc/tree-bylaw-and-ordinance-guide/download>
3. 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>
4. Commissioners' observations around town and next scheduled site visits
5. Update on significant projects and other topics not reasonably anticipated
6. Actively make buyers, property owners and realtors aware of WPA, wetland ordinance and stormwater ordinance

Upcoming Meeting: 9/14/22

Note: Agenda items and order subject to change