

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, September 14, 2022
Remote Meeting**

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 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/87356667790?pwd=RUR6RXJ2RmZ3VnRwb2t5SU1lY0hRUT09>

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Webinar ID: 873 5666 7790

The following members are present: Stephen David, Chairman, Todd Sullivan, Debra Odeh, Vesna Maneva, Elias Fares and Grace Weller. 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, July 13, 2022 and July 27, 2022.

Motion made by Mr. David, seconded by Mr. Sullivan, to approve the minutes of January 12, 2022.

Unanimous.

Motion made by Mr. Sullivan, seconded by Ms. Weller, to approve the minutes of January 26, 2022.

Unanimous.

Motion made by Ms. Maneva, seconded by Ms. Odeh, to approve the minutes of February 16, 2022.

Unanimous.

Motion made by Ms. Odeh, seconded by Ms. Weller, to approve the minutes of March 9, 2022. Unanimous.

Motion made by Ms. Odeh, seconded by Ms. Weller, to approve the minutes of July 13, 2022. Unanimous.

Motion made by Ms. Odeh, seconded by Mr. David, to approve the minutes of July 27, 2022. Unanimous.

Motion made by Mr. David, seconded by Ms. Odeh to enter into Executive Session 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 when Executive Session is complete. The Commission is polled – Mr. David votes

yes, Mr. Sullivan votes yes, Ms. Odeh votes yes, Ms. Maneva votes yes, Mr. Sheer votes yes, and Ms. Weller votes yes. Unanimous.

The Commission returns to Open Session.

Action Items:

1. 92 Pine Lane – DEP #338-0722 – Request for Minor Modification – Morrissey

Ms. Catrone explains that the owner of 92 Pine Lane is going to follow the plan as approved. The request for Minor Modification to remove the infiltration system and rain garden has been withdrawn.

2. 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 but would expire mid-September, 2022. The applicant would like to request another extension to September 20, 2023.

Motion made by Ms. Maneva, seconded by Mr. Sullivan, to issue an Extension Permit to extend Order of Conditions DEP #338-0645 to expire September 20, 2023. Unanimous.

3. 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.

Mr. Glossa states He did not do the requested survey or any calculations for the infiltration system.

Mr. David requests that Mr. Glossa run the calculations to see if the existing infiltration is adequate.

Alexander Mehlman of 410 Dover Road is present and states he saw the drain at the top of the driveway. His concern is additional water flow toward the wetland which could overload the drainage area.

The Commission agrees they would like Mr. Glossa to submit a plan with drainage calculations.

Motion made by Mr. David, seconded by Mr. Sullivan, to continue this Action Item to allow Mr. Glossa verify the drainage is significant and will work correctly. Unanimous.

4. 139 Ellis Street – DEP #338-0662 – Request for Certificate of Compliance – Phu

Ms. Catrone states the project was for the tear down and rebuild of a single-family home at 139 Ellis Street.

The project required infiltration of roof runoff and invasive plant removal. Ms. Catrone states she inspected the infiltration system at the time of installation and has done several inspections of the invasive plant removal. Under Special Condition #5 of Order Conditions DEP #338-0662 the applicant was responsible for the removal of Bamboo/Arundinaria gigantea, Oriental Bittersweet/Celastrus orbiculatus, Multi-flora rose/Rosa multiflora, Common buckthorn/Rhamnus cathartica, and Mile-a-minute vine/Polygonum perfoliatum. These plants were not observed in the area of removal on 9/14/22.

Motion made by Mr. Sheer, seconded by Ms. Maneva, to issue a Certificate of Compliance for Order of Conditions DEP #338-0662. Unanimous.

7. Hanlon Elementary School project – DEP #338-0725 – Inadvertent Tree Removal – Town of Westwood

Present is Jeff Thoma of Deborah Myers LA and TJ Dahill of Brait Builders requesting a Minor Modification for inadvertent tree removal at 790 Gay Street.

Mr. Dahill states this work was related to a new fire trail. The trail was approved 10 – 12 feet wide. It was discussed that we would keep tree removal to a minimum. Instead of 12 feet it was cut 30 feet wide in some areas. Mr. Dahill displays a plan showing the area of removal. He states we will make every effort to plant this fall and commit to the care of the trees.

Ms. Maneva asks what is being done to prevent erosion.

Mr. Thoma states the ground was not cleared. Small trees and shrubs will protect the soil.

Mr. Schuler of 779 Gay Streets states he has counted 130 trees that were cut. The contractor owes the town these trees.

Mr. Dahill states we are committed to putting something back that would please the town.

The Commission agrees they would like to see a third-party review and have a site walk Saturday at 10 am.

Motion made by Mr. David, seconded by Mr. Sullivan to continue this discussion to the 9/20/22 planning board meeting. Unanimous.

Public Hearings:

394 Providence Highway – Notice of Intent – DEP #338-0738 - Colbea – continued from July 27, 2022

New gas station and associated utilities and parking

The Commission opened the public hearing and reviewed copies of the Notice of Intent for 394 and 396 Boston Providence Turnpike to construct a gas station and convenience store with associated parking and utilities, including the following:

1. WPA Form 3 – Notice of Intent submitted by Lionard Bradley, Jr. of DiPrete Engineering, 2 Stafford Court Cranston RI 02930 dated March 17, 2022, including eleven (11) pages;
2. Plan – ENVIRONMENTAL IMPACT DESIGN REVIEW SUBMISSION SEASONS CORNER MARKET 394 PROVIDENCE HWY WESTWOOD, MASSACHUSETTS ASSESSOR’S MAP 24 LOTS 82 AND 3 dated May 4, 2022, including twenty-two (22) pages;

Present is Michael Brown and Greg Burnett.

Mr. Brown states not much has changed on the plan since the last presentation. We are showing the same building layout and we are using a standard infiltration system with oil separator. The infiltration has been revised and provides more mitigation. There is no work proposed within the 35-foot buffer.

This project will be heard by the Planning Board on September 20, 2022. If there are changes made the applicant will have to return to the Commission.

Ms. Catrone states the September 28, 2022 meeting has been canceled.

The Commission discusses meeting with the planning board on September 20, 2022. If the planning board requires changes the Commission can vote to accept the changes and approve the project.

Motion made by Mr. Sheer to continue this Action Item to the September 20, 2022 Planning Board meeting at 7:00 pm. Seconded by Ms. Weller. Unanimous.

1652 High Street – Notice of Intent – DEP #338-0740 - Bubbling Brook

Construction of 20’ x 28’ covered patio

The Commission opened the public hearing and reviewed copies of the Notice of Intent for 1652 High Street to construct a covered patio, including the following:

1. WPA Form 3 – Notice of Intent submitted by Matthew Smith of Norwood Engineering, 1410 Route One, Norwood, MA 02062 dated August 11, 2022, including fifty-eight (58) pages;
2. Plan – PROPOSED COVERED PATIO BUBBLING BROOK RESTAURANT 1652 High STREET WESTWOOD, MASS., dated March 25, 2022, including one (1) page;

Present is Alexander Kraplin of Norwood Engineering. Mr. Kraplin states the applicant is proposing the construction of a 20’ x 28’ covered patio. A recharge system is proposed for a 1” storm. The applicant is proposing 3 new trees and 5 new shrubs.

Ms. Maneva states she would like to suggest different plants which she will email to Ms. Catrone.

Motion made by Ms. Maneva, seconded by Mr. Sheer to issue an Order of Conditions with some recommendations to the plantings. Unanimous.

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, including one (1) page;

Present is John Glossa of Glossa Engineering requesting a negative determination for an 848.5 sq. ft. in-law apartment.

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 test.

Motion made by Mr. Sheer, seconded by Ms. Odeh to continue the hearing to allow testing to determine the high ground water mark. Unanimous.

92 High Rock Street – Notice of Intent –DEP #338-0741 - Ganson

Addition and deck

The Commission opened the public hearing and reviewed copies of the Notice of Intent for 92 High Rock Street to construct an addition and deck, including the following:

1. WPA Form 3 – Notice of Intent submitted by the Susan McArthur of McArthur Environmental of 7 Eaton

Road, Framingham, MA 01701 on August 23, 2022, including eleven (11) pages;

2. Plan – SITE PLAN LOCATED AT 92 HIGH ROCK STREET, ASSESSORS PARCEL #13-100, drawn by Continental Land Survey of 105 Beaver Street, Franklin, MA, dated May 17, 2022, including one (1) page;

Present is Susan McArthur requesting a Notice of Intent for the owners of 92 High Rock Street, Nicholas and Michelle Ganson, to construct a 416 sq. ft. addition to include living area and a deck. The plan shows a drywell to capture roof runoff. All work is outside the 35-foot buffer.

Mr. Sullivan states in the event large equipment is required a construction exit must be installed on the site.

Motion made by Mr. David, seconded by Mr. Sullivan to issue an Order of Conditions with the condition, if large equipment is required in rear of the property, a construction exit must be installed. Unanimous.

7 Little Boot Lane – Notice of Intent –DEP #338-0? - Champion

Three (3) Additions

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 Diane Simonelli of Field Resources, Inc. requesting a Notice of Intent for the owners of 7 Little Boot Lane, Craig and Francine Champion, to construct three additions. The first is a second-floor addition over the existing garage. The second is a garage bay added on to the guest cottage. The final addition is a small entry over the existing entry deck on the easterly side of the guest cottage. The plan shows a drywell to capture roof runoff. All construction is proposed outside the 35-foot buffer. The infiltration system is proposed outside the 10-foot buffer. Six (6) plantings are proposed as mitigation.

Nora Loughnane, Director of Community and Economic Development is present and states the guest house is an accessory apartment which cannot be enlarged.

The Commission agrees this hearing should be continued to allow the applicant to consult with the building inspector.

Motion made by Ms. Odeh, seconded by Mr. Sullivan, to continue this hearing to October 12, 2022 at 7:00 pm to allow the applicant to consult with the building inspector. Unanimous.

28 Lorraine Road – Request for Determination – Harvey

Addition and deck

The Commission opened the public hearing and reviewed copies of the Request for Determination of Applicability for 28 Lorraine Road, including the following:

1. WPA Form 1 – Request for Determination of Applicability submitted by David Harvey, owner of 28 Lorraine Road, including fourteen (14) pages;
2. Plan – PLAN TO ACCOMPANY NOI FOR 28 LORRAINE ROAD IN WESTWOOD, MASS dated July 29, 2015, including one (1) sheet;

Present is David Harvey owner of 28 Lorraine Road requesting a Negative Determination to convert the existing deck to dining area and add a deck to the rear of the house. Mr. Harvey explains he was issued a Notice of Intent in 2015 to construct an addition, convert the deck to dining area and add a deck to rear of house. At that time, he was only able to construct the addition. He would now like to convert the deck to dining area and add the deck.

Mr. David states if there is an open Order of Conditions the owner must file a request for Certificate of Compliance to close out the Order of Conditions.

Motion made by Mr. Sullivan, seconded by Mr. David, to issue a Negative Determination #3 with the conditions the applicant install erosion control prior to start of work and all impervious surfaces be kept clean throughout the duration of the project. Unanimous.

Discussion Items:

1. Stockpiling of invasive plants on island at Perry Crouse Pond – Present is Janet Schwartz of 1020 High Street is present. She states she is not happy with the moving of invasive plants from one area of the pond to another. Ms. Catrone states this was done when the pond was hydro-raked. This was discussed in the meeting. All abutters were notified. She states there was nowhere else to put the material taken from the pond. She tried for months to find a company that would dispose of the material.
Mr. David states he will meet Ms. Schwartz at the site at 12:00 on Saturday to take a look.
2. 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: 10/12/22

Note: Agenda items and order subject to change