

Town of Westwood
Commonwealth of Massachusetts



John Rogers, Chairman
Stephen David
Helen Gordon
Vesna Maneva
Todd Sullivan
Todd Weston

Karon Skinner Catrone, Conservation Agent
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CONSERVATION COMMISSION

Minutes: Conservation Commission Meeting Date:
Wednesday, November 10, 2021
Remote Meeting

7:00 p.m. - Call to Order

The Westwood Conservation Commission meeting of Wednesday November 10, 2021, at 7:00 PM. is being held through Zoom due to the COVID-19 state of emergency and in compliance with the Governor's March 12, 2020 Order suspending certain provisions of the Open Meeting Law MGL C. 30A, §18 and the Governor's March 23, 2020 Emergency Order imposing limitations on the number of people that may gather in one place.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81985176514?pwd=QTdGOHINSTR5bXpZb1BvL2tFa1cyQT09>

Passcode: 110152

Or Telephone:

877 853 5257 (Toll Free) or 888 475 4499 (Toll Free) or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free)

Webinar ID: 819 8517 6514

The following members are present: Stephen David (acting chairperson), John Rogers, Todd Sullivan, Todd Weston, and Vesna Maneva. Conservation Agent, Karon Skinner Catrone was also present.

Approval of Minutes: Consideration of Minutes for Meeting of May 13, 2020, 2020, June 10, 2020, June 24, 2020, July 8, 2020, December 9, 2020, October 13, 2021 and October 27, 2021.

Motion made by Mr. Sullivan, seconded by Mr. David, to approve the minutes of the 10/13/21 meeting at 7:00 pm. Unanimous.

Motion made by Mr. Weston, seconded by Mr. David, to approve the minutes of the 10/27/21 meeting at 7:00 pm. Unanimous.

Mr. David announces this meeting is being recorded.

Action Items:

1. Request for Minor Modification – DEP #338-0700 – 230 High Street - Ms. Catrone states under Order of Conditions DEP #338-0700, the applicant was required to complete the following:
The first phase of invasive plant removal shall be performed prior to start of construction, then at least twice a year for three years. After the first phase of removal has been completed the area shall be either seeded with an approved seed mix, or revegetated with approved plants and covered with 3 inches of shredded bark mulch, to minimize the regrowth of the invasive plants. A monitoring report must be submitted to the Commission twice a year (before June 1 and November 1) describing the health of the new plantings and the status of the invasive removal plan.
Ms. Catrone states on 12/1/2020 she met on site with Jack Grey for a pre-construction meeting. At that time Mr. Grey was informed of this special condition. This work was not completed prior to construction. In early October the invasive plants were removed and the area and the area was covered with mulch. The applicant has contracted Parterre Ecological to manage the invasive removal. Miles Connors of Parterre, present, has recommended planting be done in late spring after the area has been treated (if needed) in early spring.
The modification is a request to deviate from the requirements of the Order and plant in the late spring of 2022. The applicant is currently being fined under the Special Permit issued by the Zoning Board. This modification would cease these fines.
Mr. David asks Mr. Connors if he is under contract with the owner of 230 High Street.

Mr. Connors responds he is under contract with the owner.

Motion made by Mr. Rogers, seconded by Ms. Maneva, to approve the Request for Minor Modification to allow planting to be done in the spring of 2022. Unanimous.

2. Request for Minor Modification – DEP #338-0688 – 169 Mill Street - Applicant not present. Tabled to the meeting of December 8, 2021 at 7:00 pm.
3. Request for Minor Modification and Certificate of Compliance – DEP #338-0406 – 105 Beechnut Road - The applicant is requesting a minor modification for deviations to the approved plan which include: A pavestone patio was installed to the rear of the dwelling (700 sq. ft.), a paved section of the driveway along the southerly side of the dwelling goes into the 100’ buffer zone (300 sq. ft.) and the edge of the lawn is slightly larger than what is shown on the approved plan (600 sq. ft.).

Motion made by Mr. Sullivan, seconded by Mr. Rogers, to accept the modification as minor and issue a Certificate of Compliance. Unanimous.

Public Hearings:

Mr. David recuses himself from the next hearing.

42 Mill Street – Notice of Intent - DEP #338-0706 – Delapa – continued from 10/13/21

The Commission opened the public hearing and reviewed copies of the Notice of Intent for 42 Mill Street for proposed construction of a single- family dwelling, including the following:

1. WPA Form 3 – Notice of Intent, submitted by Goddard Consulting of 291 Main Street, Suite 8, Northborough, MA 01532 dated June 18, 2021 revised October 8, 2021, including twenty-four (24) pages;
2. Plan titled “PROPOSED SITE PLAN OF LAND LOT 2B – MILL STREET WESTWOOD, MASSACHUSETTS” dated 11/2/18 revised 7/3/21 drawn by GLM Engineering Consultants, Inc. of 19 Exchange Street, Holliston, MA 01746, including three (3) sheets;

Present is Tim McGuire of Goddard Consulting LLC representing Joanne Delapa, owner of 42 Mill Street.

Mr. Rogers states the Commission has discussed this project in great length. We have a draft decision. He asks if there are any questions from the commission or the public before he makes a motion to deny the project.

Mr. McGuire asks if the Commission received his request to withdraw the Notice of Intent under the bylaw.

Ms. Catrone states the Commission is aware and (according to Town Counsel) they can accept the request to withdraw at their discretion.

Mr. Weston states he would like to deny under the state and bylaw.

Mr. McGuire states he would like to request a continuance for the Notice of Intent under the bylaw.

Mr. Sullivan states we have spent a lot of time on the project.

Mr. McGuire states we did not receive correspondence from the town that both the state and bylaw were going to be denied. He states if he had known both were going to be denied he would have requested another continuance to discuss this internally at his office.

Mr. Rogers states he is making a final request for comment from the Commission or the public.

Artur Yudzinsky asks if the applicant has the ability to keep coming back to the Commission.

Mr. Rogers explains if DEP upholds the Commission’s decision, they can come back to the Commission in three years.

Mr. McGuire states he would like to clarify that we have asked that the Notice of Intent be withdrawn under the bylaw and we have requested a continuance of the Notice of Intent under the state and both have been denied.

Motion made by Mr. Rogers, seconded by Mr. Weston, to deny the request to withdraw the Notice of Intent under the bylaw, to deny the request to continue the Notice of Intent under the bylaw and to deny the Order of Conditions under both the state and the bylaw. The site is very difficult and the applicant has not demonstrated that the project can meet the performance standards of the Wetland Protection Act or the Westwood Wetland Bylaw. Unanimous.

Mr. David joins the meeting.

346 Gay Street – Notice of Intent - DEP #338-0729 – Forrester – continued from 9/8/21

The Commission opened the public hearing and reviewed copies of the Notice of Intent for 346 Gay Street for proposed construction of a new garage, including the following:

1. WPA Form 3 – Notice of Intent Application and Wetland Resource Area Analysis, submitted by LEC Environmental Consultants, Inc. of 380 Lowell Street, Suite 101 Wakefield, MA 01880 dated October 20, 2021, including forty-five (45) pages;
2. Plan titled “PROPOSED SITE PLAN 346 GAY STREET WESTWOOD, MA” dated 10/15/21 revised

11/8/21 drawn by R J O'Connell and Associates, Inc. of 80 Montvale Avenue, Stoneham, MA 02180 including one (1) sheet;

Present is Julia Hoogebom representing Robert and Rebecca Forrester, owners of 346 Gay Street, also present. Ms. Hoogebom states the Forresters are proposing to demolish a portion of the existing garage, reconstruct a larger garage addition, construct a breezeway and extend and expand the driveway with pervious pea stone. She explains the compost sock is shown tighter to the work at the request of Ms. Catrone and infiltration has been added to the plan. The project will result in a net reduction of impervious surfaces on the site by 120 sq. ft. so overall runoff will decrease.

Ms. Catrone states the applicant must file with the Zoning Board for 3-bay garage and accessory apartment. After some discussion the Commission agrees to continue the project to January 26, 2022 to allow the applicant to present to the Zoning Board.

Mr. David states if the applicant decides to pave the driveway we will need to revisit the calculations.

Motion made by Mr. Rogers, seconded by Ms. Maneva, to continue the hearing to January 26, 2022 at the request of the applicant. Unanimous.

Discussion Items:

1. Commissioners' observations around town and next scheduled site visits
2. Current significant projects
3. Reserved for topics not reasonably anticipated to be discussed
4. Actively make buyers, property owners and realtors aware of WPA, wetland ordinance and stormwater ordinance
5. Brief Select Board on Concom and need for Conservation Land Management Plan

Upcoming Meeting: 12/8/2021 REMOTE PARTICIPATION

Note: Agenda items and order subject to change

Motion made by Mr. Sullivan, seconded by Mr. David, to adjourn the meeting. Unanimous.