

Town of Westwood
Commonwealth of Massachusetts



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Grace Weller, Chair
Michael Walsh, Vice Chair
Debra Odeh
Elias Fares
Todd Sullivan
Vesna Maneva
Stephen Harte
R.J. Sheer - Associate

CONSERVATION COMMISSION

Minutes: Conservation Commission Meeting Date: January 10, 2024 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 10, 2024 was called to order at 7:00 p.m. in the Champagne Meeting Room, 50 Carby Street, with the following members present: Grace Weller, Stephen Harte, Debra Odeh, Todd Sullivan, Michael Walsh, Vesna Maneva and Elias Fares. Associate member R.J. Sheer is absent. Also present is Karon Skinner Catrone, Conservation Agent.

Ms. Weller, chairperson, announces this meeting is being recorded.

- Approval of minutes – February 8, 2023, March 22, 2023, June 14, 2023, September 13, 2023, September 27, 2023, November 8, 2023 and December 13, 2023

Action items:

Ms. Weller and Mr. Harte recuse themselves and leave the room for the next discussion.

1. Map 22, lot 084 (Prout Farm) – discussion and possible vote on agricultural use – Continued from 12/13/23
Present is Patrick Ahearn, town counsel.

Mr. Ahearn states the question before the Commission is whether you want agricultural use on the land. There is a question as to the wetland line but Ms. Catrone is going to go out and flag the property. The town is considering leasing the land short term.

Mr. Sullivan asks Chris Bean, present, if he has the equipment ready to start farming.

Chris Bean states yes and would like to reinvest in more equipment in the future.

Ms. Odeh asks if this land was previously farmed.

Charles Bean, present, states it was a cattle farm.

Ms. Maneva asks what the use of the land was when the town acquired it.

Charles Bean states it has been mowed and material left on site. Through the Land Trust we have been mowing the field around the 2nd week of August.

Ms. Maneva states I heard there was an issue with an endangered species.

Mr. Ahearn states at a Select Board meeting it was stated by a consultant, who was working for the trustees, that no endangered species or vernal pools are on the site.

Trever Laubenstein of the Westwood Land Trust states the Land Trust holds legal rights to the land. The Conservation Restriction states certain uses are permitted with Land Trust approval.

Mr. Walsh states the restriction states the land can be used for farming and the Land Trust says absolutely not.

Mr. Laubenstein state we are not saying it can absolutely not be used for farming.

Mr. Walsh states our vote opens the door for the Beans to farm the land.

Motion made by Ms. Odeh, seconded by Mr. Sullivan, that the previously disturbed land at map 22 lot 084 be allowed for agricultural use with the condition the wetlands be delineated before the land is used for agriculture. Unanimous.

Ms. Weller and Mr. Harte return to the meeting.

2. 92 High Rock Street – DEP #338-0741 - Request for Certificate of Compliance – Ganson – Ms. Weller states she and Ms. Catrone visited the site and found it to be in compliance with the approved Order of Conditions.

Motion made by Mr. Walsh, seconded by Mr. Harte, to close the Action Item for 92 High Rock Street. Unanimous.

Motion made by Mr. Walsh, seconded by Mr. Sullivan, to issue a Certificate of Compliance for 92 High Rock Street. Unanimous.

3. 60 Stanford Drive – DEP #338-0430 - Request for Certificate of Compliance - Roberts - Ms. Weller states she and Ms. Catrone visited the site and found it to be in compliance with the approved Order of Conditions. The project involved drainage improvements and landscaping.

Motion made by Mr. Walsh, seconded by Mr. Harte, to close the Action Item for 60 Stanford Drive.

Unanimous.

Motion made by Mr. Walsh, seconded by Mr. Sullivan, to issue a Certificate of Compliance for 60 Stanford Drive. Unanimous.

4. 131 Bay Colony Drive – DEP #338-0743 - Request for Certificate of Compliance – Hess - Ms. Weller states she and Ms. Catrone visited the site and found it to be in compliance with the approved Order of Conditions. The project involved the installation of an in-ground pool.

Motion made by Mr. Walsh, seconded by Mr. Sullivan, to close the Action Item for 131 Bay Colony Drive.

Unanimous.

Motion made by Mr. Walsh, seconded by Mr. Sullivan, to issue a Certificate of Compliance for 131 Bay Colony Drive. Unanimous.

5. 109 Country Lane – DEP #338-0705 - Request for Certificate of Compliance – Mellor - Ms. Weller states she and Ms. Catrone visited the site and found it to be in compliance with the approved Order of Conditions with the exception of a pile of loose stone near the wetland.

Ms. Catrone shows a picture of the pile and states it has been removed. The project involved the construction of an addition.

Motion made by Mr. Walsh, seconded by Mr. Harte, to close the Action Item for 109 Country Lane.

Unanimous.

Motion made by Mr. Walsh, seconded by Mr. Sullivan, to issue a Certificate of Compliance for 109 Country Lane. Unanimous.

Mr. Sullivan leaves the room for the next two action items.

6. 909 High Street (Relocation of Obed Baker House) – DEP #338-0306 - Request for Certificate of Compliance - Ms. Catrone states this is an old Order of Conditions for the cemetery shed which is going to be torn down as part of a new project. A new shed is going to be constructed on the other side of the cemetery driveway.

Motion made by Mr. Walsh, seconded by Mr. Harte, to close the Action Item for 909 High Street.

Unanimous.

Motion made by Mr. Walsh, seconded by Ms. Odeh, to issue a Certificate of Compliance for 909 High Street.

Unanimous.

7. 0 High Street (Cemetery Shed) – DEP #338-0471 – Request for Certificate of Compliance – TOW - Ms. Catrone states this is an old Order of Conditions for the construction of the cemetery shed which is going to be torn down as part of a new project. A new shed is going to be constructed on the other side of the cemetery driveway.

Motion made by Mr. Walsh, seconded by Ms. Odeh, to close the Action Item for 0 High Rock Street.

Unanimous.

Motion made by Mr. Walsh, seconded by Ms. Odeh, to issue a Certificate of Compliance for 0 High Street.

Unanimous.

8. 748 Gay Street – DEP #338-0732 – Request for Minor Modification – Tunnels to Towers – John Glossa is present and states we proposed a gravel path around the house and it was approved under Order of Conditions DEP#338-0732. The owner of the property and user of the path is in a wheel chair and the gravel path will not be stable enough for the user. We would like to install a paved path in the same location. No trees need to be removed for the modification.

Motion made by Mr. Walsh, seconded by Ms. Odeh, to close the action item. Unanimous.

Motion made by Mr. Walsh, seconded by Mr. Sullivan, to approve the Request for Minor Modification for 748 Gay Street. Unanimous.

Mr. Sullivan returns to the meeting.

Public Hearings:

97 Blueberry Lane – Stormwater Notice of Intent – SMP #? – Vaughn – Continued from 12/13/23

Tear down and rebuild single-family home

The Commission opened the public hearing and reviewed copies of the Stormwater Land Disturbance Application for 97 Blueberry Lane, including the following:

1. Land Disturbance Application and associated documents submitted on November 2, 2023 by Scott Vaughn of 60 Cedar Street Wellesley, MA 02481;

2. Plan – “97 BLUEBERRY LANE, WESTWOOD, MASSACHUSETTS CIVIL PLAN”, dated 8/2/23 last revised 12/12/23, “97 BLUEBERRY LANE, WESTWOOD, MASSACHUSETTS DETAILS” SHEETS 2 & 3, dated 8/2/23 last revised 12/5/23, “97 BLUEBERRY LANE, WESTWOOD, MASSACHUSETTS CIVIL PLAN” SHEET 4, dated 8/2/23 last revised 12/12/23, “97 BLUEBERRY LANE, WESTWOOD, MASSACHUSETTS EROSION CONTROL PLAN” SHEET 5, dated 10/27/23 last revised 12/12/23, submitted by Edmond Spruhan of Spruhan Engineering, P.C., 80 Jewett St, Suite 1, Newton, Ma 02458, including five (5) sheets;

Present is Scott Vaughn representing Amur Alpoguz, owner of 97 Blueberry Lane, requesting a Land Disturbance Permit to tear down the existing single-family home and construct a new single-family home in the same footprint. Mr. Vaughn states we originally planned to use the existing foundation but discovered we could not. We are proposing construction in the location of the existing house. The lot is 56,000 sq. ft. We will be disturbing 20,000 sq. ft. We are showing a construction entrance, plantings, infiltration and retaining walls on the plan. We will not be importing any materials.

Ms. Maneva would like to see more trees in the rear of the property.

Motion made by Mr. Walsh, seconded by Mr. Harte, to continue the hearing to January 24, 2024 at 50 Carby Street at 7:00 pm to allow the applicant to add trees to the plan. Unanimous.

95 Juniper Ridge Road- Notice of Intent - DEP #338-0763 – Luongo

New construction - single-family house

The Commission opened the public hearing and reviewed copies of the Notice of Intent Application for 95 Juniper Ridge Road, including the following:

1. DEP form 3 Notice of Intent submitted by Gregory Drake, Outback Engineering, 165 East Grove Street, Middleborough, MA 02346, including thirty-one (31) pages;
2. Plan – “PROPOSED PLOT PLAN AT 95 JUNIPER RIDGE RD. IN WESTWOOD, MASSACHUSETTS 02090” Sheets 1-2, dated 12/11/23;

Present is Gregory Drake of Outback Engineering representing Randy Luongo, owner of 84 Juniper Ridge Road, requesting an Order of Conditions for new construction at 95 Juniper Ridge Road. He states there was a house here but it was taken down in 2010. All new work is outside the 35 foot buffer.

The commission agrees the driveway going all the way to the rear of the property is a lot of unnecessary pavement. They would like the impervious surfaced reduced.

Mr. Drake states 4 new trees will be planted.

Motion made by Mr. Walsh, seconded by Mr. Harte, to continue this hearing to January 24, 2024 at 50 Carby Street at 7:00 pm to have the owner consider reducing impervious area, show catch basins in the street and show front walkway. Unanimous.

100 Farm Lane- Notice of Intent - DEP #338-0761 – Vernon/Culgin – Continued from 12/13/23

Soak pool, patio and sport court

The Commission opened the public hearing and reviewed copies of the Notice of Intent (NOI) for 100 Farm Lane, including the following:

1. DEP form 3 Notice of Intent submitted on September 6, 2023, by Mark Allen, Allen Engineering & Associates, Inc of 140 Hartford Avenue East, Hopedale, MA 01747, including twenty-seven (27) pages;
2. Plan – “SITE DESIGN PLAN FOR 100 FARM LANE IN WESTWOOD, MA”, dated September 5, 2023, revised October 24, 2023, submitted by Allen Engineering & Associates, including one (1) sheets;

Present are Zachary Vernon and Jonathan Scanlon, requesting an Order of Conditions to install a Soak Pool, basketball court and new patio area in the rear yard of 100 Farm Lane.

Mr. Scanlon states we had a site walk on October 23, 2023 and the largest issue was the swale on the left rear of the property. All requested changes have been shown on the plan. We were before the Commission at the 12/13/23 meeting but there wasn't a voting quorum.

Motion made by Ms. Maneva, seconded by Ms. Odeh, to close the hearing for 100 Farm Lane. Unanimous.

Motion made by Mr. Walsh, seconded by Ms. Odeh, to issue an Order of Conditions for 100 Farm Lane with the following conditions:

1. All paved surfaces associated with this project must be kept clean at all times. All silt and debris must be swept up at the end of each work day.
2. A 12” compost sock and orange construction fence are to be installed and inspected prior to

start of work.

3. Organic fertilizer must be used on the lawn in perpetuity.
4. An agent of the Town must observe the excavation for the infiltration systems, prior to installation to confirm soil texture and depth to seasonal high ground water.
5. The infiltration system must be inspected by the Conservation Commission Office prior to backfill.
6. As a continuing condition of this permit, the applicant must have the infiltration systems inspected by a qualified person once a year. This person must submit an annual report to the Conservation Commission office regarding the inspection and any required maintenance of the infiltration systems. This report must be submitted prior to May 30 of every year.
7. All new plantings must be native to Massachusetts and have a 100% survival rate after 2 years.

Unanimous.

74 Fox Hill Street – Stormwater Notice of Intent – SMP #? – Consalvo – Continued from 12/13/23

New construction – single-family house

The Commission opened the public hearing and reviewed copies of the Stormwater Land Disturbance Application for 74 Fox Hill Street, including the following:

1. Land Disturbance Application and associated documents submitted on November 11, 2023 by Alan Rosco of TF Morgan, Inc., 48 Constitution Drive, Bedford, NY 03110;
2. Plans – “PROPOSED CERTIFIED PLOT PLAN”, 1 sheet, dated November 9, 2023, “DETAILS”, 1 sheet, dated November 9, 2023 and “LANDSCAPE PLAN”, sheets 1 and 2, dated February 14, 2024, Submitted by TF Morgan, Inc.;

Present is Alan Rosco of TF Morgan, Inc, representing Christopher Consalvo, owner of 74 Fox Hill Street, requesting a Land Disturbance permit for new construction at 74 Fox Hill Street.

Mr. Rosco states we are showing all impervious runoff going to a cultex system or rain garden. The driveway is picked up by a trench. We have received all other required permits.

Ms. Odeh states she would like to see a landscape plan with native plants.

Mr. Fares asked if this project was shut down.

Ms. Catrone states she shut down the project. They received an administrative land disturbance permit but they disturbed well over ½ acre of land which requires Notice of Intent land disturbance permit.

The Commission agrees they would like to see a landscaping plan.

Motion made by Ms. Odeh, seconded by Mr. Harte, to continue the hearing for 74 Fox Hill Street to February 14, 2024, at 7:00 pm at 50 Carby Street to allow the applicant to revise the plan to show more trees and shrubs. Unanimous.

42 Mill Street – Notice of Intent – DEP # 338-0756 – Delapa – Continued from 12/13/23

Dam repair and access road

Motion made by Ms. Odeh, seconded by Mr. Harte, to close this hearing without action and without approval. The applicant must re notify the abutters and re advertise in the paper prior to the next meeting they wish to attend. Unanimous.

Discussion Items continued:

1. Potential Tree policy/ordinance/bylaw
<https://www.mass.gov/doc/tree-by-law-and-ordinance-guide/download>
2. Commissioners’ observations around town and next scheduled site visits
3. Update on significant projects and other topics not reasonably anticipated

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

Upcoming Meeting: 1/28/24 – in person meeting

Note: Agenda items and order subject to change