

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



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CONSERVATION COMMISSION

Minutes: Conservation Commission Meeting Date: April 17, 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 April 17, 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, Debra Odeh, Elias Fares, Todd Sullivan, and Vesna Maneva. Members Stephen Harte, Michael Walsh and associate member R.J. Sheer are absent. Also present is Karon Skinner Catrone, Conservation Agent.

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

- Approval of minutes – November 8, 2023, February 14, 2024 and February 28, 2024
Minutes will be discussed at the end of the meeting.

Action items:

1. Perry Crouse Pond - Map 21 Lot 024 – Discuss Conservation Commission support of a Town Meeting article to fund an environmental study of Perry Crouse Pond.

Present is Ken Fascaldo of 35 Norfolk Avenue. Mr. Fascaldo states: We have watched the pond evolve from a pond to a swamp. There is a great deal of interest from the neighbors. About 5 years ago Ms. Catrone helped us secure funds to hydro rake the pond. A few years later some further hydro raking was done but it was never finished. In the summer the pond can dry up. It is a valuable resource and we are going to lose it. I asked Ms. Catrone about doing a study on the condition of the pond. There was a study done in December of 1998. Nothing was ever done with the information from this study. He states Ms. Catrone has told him a Conservation Land Management Plan is currently being done. He would like to see Perry Crouse Pond moved to the top of the list. We have to maintain it or it will be lost.

Ms. Catrone states she will check to see if Perry Crouse Pond is on the list of properties.

Mr. Fascaldo states one recommendation from the 1998 study was to dredge the pond.

Ms. Catrone states it is difficult to get permits and expensive to dredge.

Ed Jacobs of 26 Westview Terrace is present and states at the time of the hydro raking the invasive plants were pulled out of the pond and placed on an island in the pond. He asks if the sediment in the pond could be pushed to the banks. The pond needs attention. The Commission discusses the previous hydro raking project and how it was done.

Mr. Sullivan discusses the toxins that flow into the pond from the streets. It's expensive to get rid of the sediment from the ponds due to these toxins.

Mr. Fascaldo states if it is as bad as you say aren't we negligent leaving it there.

Mr. Fares states the catch basins should be cleaned twice a year.

Ms. Weller states she would be curious to see if we can get any grants.

Mr. Fascaldo states the Boy Scouts built a bench next to the pond many years ago. The area has eroded to the point that when you sit on the bench your feet dangle over the water. Approximately 5 years ago he contacted Ms.

Catrone about adding rip rap to the area of the inlet, which was done, but it is eroding again.

The Commission agrees they would like to do a site visit on April 22, 2024 at 5:00 pm.

Ms. Loughnane explains the timeline for the budget and town meeting.

Ellen Rollings of 86 Greenhill Road states she is happy to hear the Commission having this conversation. This is past time for the Commission to have a budget to maintain these properties and she is happy to help.

Ms. Weller states we will meet at Perry Crouse Pond on Monday, April 22, 2024 at 5:00 pm.

Public Hearings:

Wetland Bylaw/Wetland Protection Act Public Hearings:

22 Westview Terrace – RDA – Doherty – Continued from March 27, 2024

Front porch addition

Present is Robert Zeuli, general contractor, and Eileen Doherty, owner of 22 Westview Terrace.

Mr. Zeuli states the owner would like to put a front porch on the house. No foundation will be dug.

Ms. Catrone shares pictures of the existing house and proposed plans.

Ms. Catrone states the house is on a slope and across the street from Perry Crouse Pond. A compost sock should be installed prior to start of work and if stockpiling is required it should be done in the rear of the house.

Mr. Sullivan states this looks straight forward.

Motion made by Mr. Sullivan, seconded by Ms. Odeh to close the hearing. Unanimous.

Motion made by Mr. Sullivan, seconded by Ms. Maneva, to issue a negative determination #3 for 22

Westview Terrace with the Condition a compost sock be installed and inspected prior to start of work and if stock piling is necessary it be done in the rear of the house. Unanimous.

18 Trailside Drive – Notice of Intent – DEP #338-0764 – Crompton

Landscape improvements

The Commission opened the public hearing and reviewed copies of the Notice of Intent Application for 18 Trailside Drive, including the following:

1. DEP form 3 Notice of Intent submitted by Daniel Merrikin of Legacy Engineering, LLC, 730 Main Street, Suite 2C, Millis, MA 02054, including forty-eight (48) pages;
2. Plan – “18 TRAILSIDE DRIVE SITE PLAN OF LAND IN WESTWOOD, MA”, dated 3/2/24, submitted by Legacy Engineering, LLC, including one (1) sheet and “18 TRAILSIDE DRIVE WESTWOOD, MA”, dated 4/29/24, submitted by Landscape Design Associates of 1415 Main Street, Walpole, MA 02081, including one (1) sheet.

Present is Daniel Merrikin of Legacy Engineering, LLC representing Monica Crompton, owner of 18 Trailside Drive, requesting an Order of Conditions for proposed landscape improvements at 18 Trailside Drive.

Mr. Merrikin states: The resource areas associated with this project include Bubbling Brook, bank, riverfront area, floodplain, buffer zone and BVW. There is no work proposed within the floodplain area, BVW or the 35 foot buffer zone. The applicant is proposing landscaping and hardscaping. There will be no major regrading or expansion of the yard. The applicant would like to rebuild the walkway, add two patios and add plantings. We are also showing recharge. We filed under the Wetland Protection Act and the local bylaw but most of this work is exempt under the Wetland Protection Act. A planting plan has been submitted by Land Design Associates. We are showing compost sock and limit of work markers on the plan. The yellow areas on the plan are new plantings.

Ms. Odeh asks how the patios are draining.

Ms. Little states the patios are constructed of pavers in crushed stone.

Mr. Merrikin states the two (2) patios and walkway are approximately 600 sq. ft.

Ms. Catrone states there are some non-native plants shown on the plan.

Ms. Little states she will revise the planting plan to show native plants within the 200 foot riverfront area.

Mr. Sullivan states the plan looks very robust.

Motion made by Mr. Sullivan, seconded by Ms. Odeh, to close the hearing for 18 Trailside Drive.

Unanimous.

Motion made by Mr. Sullivan, seconded by Ms. Odeh, to issue an Order of Conditions for 18 Trailside Drive with the following conditions:

1. Organic fertilizer be used on the lawn in perpetuity
2. All plants within the 200 Riverfront Area must be native
3. A compost sock and construction fence must be installed and inspected prior to state of work.

Unanimous.

Update Rules and Regulations – Continued from March 27, 2024

Discuss and vote on the adoption and/or amendment of various sets of Rules and Regulations of the Town of Westwood Conservation Commission, including the following:

- Westwood Conservation Commission Guidelines on Tree and Plant Removal

- Regulations for Local Wetlands Bylaw; and
- Stormwater Management Regulations.

The Commission discusses the Westwood Conservation Commission Guidelines on Tree and Plant Removal. It has already been discussed at several meetings.

Ms. Maneva asks if there has been any public comment regarding the guidelines.

Mr. Weller reads a comment from the owner of 26 Delapa Circle. The comment questions whether the 400 sq. ft. of disturbed land per replacement tree is the best ratio and feels this encourages clear cutting.

Ms. Weller asks how this could be avoided.

Ms. Odeh states ideally residents should come to us before cutting and the Commission should be assessing the clearance and trying to minimize.

The Commission discusses penalties for work without a permit.

Mr. Fares expresses concerns with the sq. ft. of work that triggers stormwater filings and believes it should be based on a percentage.

Ms. Loughnane explains the sq. ft. requirement triggers for stormwater review, which are set by the Stormwater Management Bylaw.

Ms. Weller reads Pat Ahearn's comments regarding the guidelines:

- 1) The policy is more comprehensive than those in surrounding towns (Needham, Dedham and Canton. I think the commission needs to be prepared to address this at the meeting when they propose to adopt this.
- 2) There is a requirement that land owners who take down a tree within the 35 foot buffer that is 6 inches in diameter at breast height may be required to keep a 6 foot stump ("a snag") on their property. While I understand that the purpose is to provide potential habitat for animals I could see where this would raise concerns form property owners I suggest that you soften the language from mandating such to encouraging such activity.
- 3) Emergency removal of a "dangerous tree" is, as currently written solely at the discretion of the Conservation Agent. However, if there is diseased to dead tree and pending storm and the Conservation agent is not available for whatever reason than there is no alternative to allow a landowner to deal with the problem until such time that the Conservation Agent is available. This concerns me from a potential liability perspective. Reasonable alternatives in the Conservation Agents absence or unavailability need to be identified.

Ms. Weller states she has added three (3) definitions including "No Disturb Zone or No Disturb Area, Inner Riparian Zone and Outer Riparian Zone".

The Commission discusses the current policy of 1 tree per 450 sq. ft. of disturbance, the proposed replacement of trees and the language regarding the tree fund.

Ms. Weller asks if the fine of \$300.00 per day is correct.

Ms. Catrone states yes, that is from the Wetland Protection Act.

The Commission discusses how they can make the public aware of this guideline.

The Commission intends to add language regarding the Tree and Plant Removal Guidelines to the Wetlands Protection Regulations and the requirement for online application submittal.

Motion made by Ms. Maneva to continue the hearing for Update Rules and Regulations to April 24, 2024 at 7:00 pm at 50 Carby Street. Unanimous.

- Approval of minutes – November 8, 2023, February 14, 2024 and February 28, 2024

Motion made by Ms. Odeh, seconded by Mr. Sullivan to approve the minutes of November 8, 2023. Ms. Maneva abstains. Vote passes 4 in favor, 1 abstains.

Motion made by Ms. Odeh, seconded by Mr. Sullivan to approve the minutes of February 28, 2024. Ms. Maneva abstains. Vote passes 4 in favor, 1 abstains.

Motion made by Ms. Odeh, seconded by Mr. Sullivan to approve the minutes of February 28, 2024. Ms. Maneva abstains. Vote passes 4 in favor, 1 abstains.

Discussion Items:

1. Commissioners' observations around town and next scheduled site visits – Ms. Weller states she was informed there were some new trails made at Lowell Woods. Ms. Catrone states she will take a look.
2. Update on significant projects and other topics not reasonably anticipated

Motion made by Ms. Maneva, seconded by Ms. Odeh, to adjourn the meeting. Unanimous.