Westwood Planning Board
Meeting Minutes
March 13, 2012
7:30 PM
Champagne Meeting Room

Board members present: Ch. S. Rafsky, S. Olanoff, J. Wiggin, and B. Montgomery. C. Chafetz was absent.
Staff present: N. Loughnane, Town Planner and J. Barba, Planning & Land Use Specialist, recorded the minutes.

Ch. Rafsky called the meeting to order at approximately 7:33 p.m.

Public Hearing to Consider Amendments to the Town of Westwood Zoning Bylaws for Recommendation to Town Meeting
Ch. Rafsky read the legal notice of public hearing. He explained that the procedure for this hearing would be as follows: each Proposed Zoning Article will be briefly summarized by Ms. Loughnane; Planning Board members will comment and discuss edits, and then public comments will be heard. *(The full text of the articles is available with these minutes.)*

Below is a list of edits to the text in red for each article.

Article 1 – no edits or public comments.

Article 2 – 3) Add a new note 2 to Section 4.1.5.2 to read as follows, and renumber notes as appropriate:

[2] Non-exempt farm stands on municipal properties are permitted and exempt from BA special permit requirements.

Public Comment:
D. Foster, Everett Street – asked if existing uses will be affected by this zoning amendment.

Article 3 –

4.4.1.6 Notwithstanding the provisions of Section 4.3.3.2, off-street parking shall be provided for both the principal use and the accessory home occupation in accordance with the requirements of Section 6.1.3. In cases where five (5) or more spaces are provided, such spaces shall be screened from view pursuant to Section 6.3.6. Parking of more than five (5) ~~or~~ motor vehicles, or more than one (1) commercial vehicle with a gross vehicle weight of less than 26,000 pounds, or garage for more than three (3) motor vehicles, shall be allowed only upon the issuance of a special permit by the Zoning Board of Appeals.

4.4.2.7 Notwithstanding the provisions of Section 4.3.3.2, off-street parking shall be provided for both the principal use and the accessory apartment in accordance with the requirements of Section 6.1.3. In cases where five (5) or more spaces are provided, such spaces shall be screened from view pursuant to Section 6.3.6. Parking of more than five (5) ~~or~~ motor vehicles, or more than one (1) commercial vehicle with a gross vehicle weight of less than 26,000 pounds, or garage for more than three (3) motor vehicles, shall be allowed only upon the issuance of a special permit by the Zoning Board of Appeals.

Article 4 –

5.5.2 **Lot Shape Requirement for Residential Districts.** Lots in residential districts shall provide satisfactory sites for buildings in relation to their natural topography, and shall to the extent feasible, be generally rectangular in shape. Lots shall not contain irregular shapes or elongations solely to provide necessary square footage. Any new lot created by a subdivision or approval not required plan shall have a Shape Factor of sixty ~~forty~~ (60 ~~40~~) or less, where the Shape Factor shall be calculated using the following formula: $SF = P^2/A$ where P = the perimeter of the lot and A = the area of the lot. The Planning Board may waive the requirements of this section when in its judgment the strict application of such requirements would result in peculiar or exceptional difficulties, or undue hardship.

Public Comment:
D. Bailey, Martingale Lane – said this shall make lots non-conforming.
C. Bean – Clapboardtree Street – suggested a shape factor of 60.

Article 5 –

6.2.2.3 Billboard An off- premises sign which is either a ~~A~~ freestanding sign larger than one hundred ~~thirty-five~~

(100~~35~~) square feet, or a wall sign covering more than fifteen ~~ten~~ percent (15~~10~~%) of the area to which it is affixed.

6.2.2.4 Changeable Sign A sign whose wording, design, or appearance changes periodically, or whose illumination is not kept constant in intensity at all times or which exhibits changes in light, color, direction or animation. ~~For purposes of this Section, no sign which only indicates the time, date and temperature shall be considered a changeable sign.~~

6.2.2.19 Off-Premises Sign A sign that advertises, calls attention to or identifies an occupant of a premises, or the business transacted on a premises or advertises the property itself or any part thereof for sale or lease which is located elsewhere than the premises where the sign is maintained. ~~A billboard shall be considered an off-premises sign.~~

6.2.4.2 The maximum area of each sign shall not exceed one (1) square foot, except ~~that the area of~~ municipal signs ~~in residential districts shall be as approved Board of Selectmen~~.

6.2.4.4 Notwithstanding the above limitations on number and area of signs, municipal directional signs and parking restriction signs, of any size, shall be permitted, and all other directional signs and parking restriction signs shall be permitted as approved by the Building Commissioner.

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6.2.7.1 Billboards, roof signs, moveable signs, changeable signs, off-premises signs, including off-premises commercial directional signs~~;~~, except that changeable municipal signs, shall be permitted in all districts.

6.2.7.2 ~~Internally illuminated signs, changeable signs, variable lit signs, variable message signs;~~

6.2.9.3 **Prohibited Means of Illumination.** Illumination of signs by neon or external florescent lighting shall be prohibited in all districts. Changeable signs, variable lit signs, and variable message signs shall be prohibited in all districts, except that signs or portions of signs displaying time, date and/or temperature shall ~~not be considered changeable signs, and shall~~ be permitted provided that such signs meet all other provisions of this section. Variable message municipal signs, used to provide public information, traffic or safety messages, shall be permitted in all districts.

6.2.9.5 ~~**Changeable Electronic Municipal Signs.** Changeable or variable message signs, except electronic municipal signs, shall be permitted in all districts, only for the display of traffic and safety information, and only upon approval by the Board of Selectmen.~~

6.2.10.1.1 Temporary signs may only be installed with the permission of the property owner. Temporary signs to be placed on Town property require the prior written permission of the Town Administrator ~~Board of Selectmen~~.

6.2.10.1.6 No temporary sign shall be installed such that the highest point of said sign is more than three (3) feet above ground level, unless otherwise provided herein.

6.2.10.2.1 In Industrial and Industrial Office Districts such signs shall not exceed thirty-two (32) square feet~~;~~ and shall not be installed such that the highest point of said sign is more than eight (8) feet above ground level.

6.2.10.2.2 In Highway Business and ARO Districts such signs shall not exceed twenty-four (24) square feet~~;~~ and shall not be installed such that the highest point of said sign is more than six (6) feet above ground level.

6.2.10.2.3 In Local Business Districts such signs shall not exceed twelve (12) square feet~~;~~ and shall not be installed such that the highest point of said sign is more than four (4) feet above ground level.

6.2.10.2.4 In Residential Districts such signs shall not exceed six (6) square feet and shall not be installed such that the highest point of said sign is more than three (3) feet above ground level.

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6.2.10.3.3 In Local Business Districts such signs shall not exceed twelve (12) square feet~~;~~ and shall not be installed such that the highest point of said sign is more than four (4) feet above ground level.

6.2.10.5 **Temporary Banners.** Temporary banners announcing charitable, nonprofit, or civic events, shall be permitted for a period of time not to exceed thirty (30) consecutive days prior to the event. All temporary banners shall be removed within ten (10) days after such event. Such banners may be erected across public ways with the prior written permission of the Town Administrator ~~Board of Selectmen~~ upon such terms and conditions as it shall determine, including size, location and design.

Article 6 –

~~1) Amend Section 2.54 [Floor Area, Net] to read as follows:~~

~~2.54 Floor Area, Net The total square feet of floor space within the outside dimensions of a building including each floor level, with deduction for lobbies, atriums, common hallways and stairways, elevator wells, rest rooms, building service areas, and parking garages.~~

2) Amend Section 2.55 [Floor Area Ratio (FAR)] to read as follows:

2.55 Floor Area Ratio (FAR) The gross ~~net~~ floor area of a building, less all floor area of said building attributed to entrance areas, atriums and parking garages, divided by the total gross lot area of the parcel on which it is located. For example, a one acre lot with a FAR of .75 could contain 32,670 square feet of ~~net~~ floor area (43,560 x .75=32,670), plus such additional area as may be attributed to entrance areas, atriums or parking garages.

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Article 7 –

1) Delete Section 7.3.13 [Appeal] in its entirety and ~~renumber subsequent sections as appropriate.~~ replace it with the following:

7.3.13 **Appeal.** Any decision of the Planning Board pursuant to this Section shall be appealed within twenty (20) days of the date of issuance of the decision. Such appeal shall be filed in Norfolk County Superior Court, and any proceedings pursuant to such appeal shall be limited to the record before the Planning Board.

Public Comment:

D. Bailey, Martingale Lane – disagreed with the board and suggested that Section 7.3.13 should be deleted.

Article 8 -

8.3.9.2 **Yield Calculation.** The maximum base number of dwelling units to which an OSRD is entitled shall be determined by the Planning Board following the submission of a Yield Calculation, as set forth below. The Yield Calculation shall be submitted as part of the EIDR application, but may be submitted on a preliminary basis to the Planning Board, as part of an informal pre-application meeting, as provided for in Section 8.3.5.1 herein.

The Yield Calculation is determined by the following steps:

Step One: Subtract from the total original area of the development tract 100~~60~~% of all wetlands.

Article 9 –

1) Amend Section 8.4.2 [Conditions], Subsection 8.4.2.5 to read as follows:

8.4.2.5 All dwelling units shall be designed to accommodate suitable means of access and egress for people with disabilities in conformance with 521 CMR Section 9. ~~handicapped persons. When feasible, projects shall be graded to provide handicap access without the use of supplemental ramps and/or lifts~~. Additionally, i~~I~~n cases where supplemental wheelchair ramps and/or lifts are necessary to achieve suitable means of access and egress, architectural plans for individual dwelling units shall demonstrate the location and means of incorporating such ramps and/or lifts., ~~and provisions shall be made for the incorporation of s~~Such ramps and/or lifts shall be installed by the owner of any dwelling unit if required by a resident~~s~~ of ~~any~~ said dwelling unit~~s~~.

Article 10 –

1) Replace the words "Building Inspector" with the words "Building Commissioner" wherever they appear in the bylaw.

Article 11 – withdrawn

Article 12 – WCOD

Board members discussed each proposed new location:

- Westwood Cemetery – Board consensus to support this proposed location without restrictions.
- Buckmaster Pond, former quarry parcel – Board consensus to support this location.
- Sheehan Athletic Fields – Board consensus to support this location.
- Westwood Lodge – Board consensus against the addition of this location.
- Colburn School – Board consensus to support this location.
- Carby Street – A consensus was not clear on this location.

Public Comment:

Resident, Coach Lane – why are there two WCOD classifications? (Ms. Loughnane said WCOD 1, allowed on Town Owned properties provide more accountability and control over what is permitted.)

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M. Cagan, Elm Street – read a letter he submitted via email to the Planning Board requesting that the board restrict all schools from WCOD. (A copy of this letter is included with these minutes.)

R. Fulsom, 35 Smith Drive – the properties of all the religious institutions in town are so different.

S. O'Malley, Birchtree Drive – is concerned about preexisting conditions.

M. Valentine, Sunrise Road wants wording added about renewal of existing permits.

A.Cook, Wellington Drive – Why was Westwood Lodge added to the list of WCOD 1 if this is a business in a residential use?

M. Dodge, Nahatan Street – churches are at a greater disadvantage.

M. Valentine, Sunrise Road – said churches and schools are in a residential area.

P. Hack, Conant Road – there are too many contradictions in the visual impact section of the bylaw.

C. Blue, E. Arnold, B. Molloy, D. Evans sent letters to the Planning Board opposing the addition of Carby Street to the WCOD 2. (Copies of these letters are included with these minutes.)

Article 13

1) Amend Section 9.2 [Flood Area Overlay District] ~~Subsection 9.22 [Location]~~ to replace ~~the~~ all references to the Flood Insurance Rate Map, effective as of June 17, 2002, with ~~a~~ references to the Flood Insurance Rate Map, effective as of July 17, 2012, and revise terminology for consistency with that used in new maps, so that the amended Subsection 9.2 reads as follows:

9.2 FLOOD AREA OVERLAY DISTRICT (FAOD)

9.2.1 **Purpose.** The purpose of the Flood Area Overlay District (FAOD) is to reduce flood losses, to preserve and maintain the ground water table, to protect the public health and safety of persons and property against hazards of flood water inundation and to limit and control the development of flood prone areas.

9.2.2 **Location.** The FAOD is herein established as an overlay district. The FAOD ~~shall~~ includes all Special Flood Hazard Areas, designated as Zone A and AE as set forth on the Norfolk County Flood Insurance Rate Map (FIRM), issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program, including map panels 25021C0038E, 25021C0039E, 25021C0159E, 25021C0176E, 25021C0177E, 25021C0178E, 25021C0179E, 25021C0181E, 25021C0183E, 25021C0184E, and 25021C0186E, effective as of July 17, 2012~~,~~ . The exact boundaries of the FAOD are defined by the one percent (1%) annual chance base flood elevations shown on the FIRM and further defined by the Norfolk County Flood Insurance Study (FIS) report dated July 17, 2012. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Board of Health and Building Inspector. ~~Said Map, together with the index and all explanatory matters thereon, shall be deemed to be part of this Bylaw. The 100-year flood level is indicated on said Index and Map as a Base Flood (100-year) Elevation Line.~~

9.2.3 **Permitted Uses.** Except as otherwise provided herein and subject to the provisions of this Bylaw applicable to the underlying district, land and buildings in the FAOD may be used for any purpose permitted as of right or by special permit in the underlying district.

9.2.4 **Development ~~Construction~~ Standards.** The following development ~~construction~~ standards shall apply

within the FAOD:

9.2.4.1 All development in the district, including structural and non-structural activities, whether permitted by right or by special permit, must be in compliance with:

a. Chapter 131, Section 40 of the Massachusetts General Laws, as amended from time to time;

b. Sections of the Massachusetts State Building Code addressing floodplain and coastal high hazard areas, under 780 CMR, as amended from time to time;

c. Wetlands Protection Regulations promulgated by the Massachusetts Department of Environmental Protection (MA-DEP), under 310 CMR 10.00, as amended from time to time;

d. Inland Wetlands Restrictions promulgated by MA-DEP, under 310 CMR 13.00, as amended from time to time; and

e. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, promulgated by MA DEP under 310 CMR 15, Title 5.

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

9.2.4.2 In Zone AE, along watercourses that have a regulatory floodway designated on the FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

9.2.4.3 In Zones A and AE, along watercourses that have no designated regulatory floodway, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

9.2.4.~~1~~4 New construction or substantial improvement of residential structures within the FAOD ~~a Special Flood Hazard Area~~ shall have the lowest floor (including basement) elevated to or above the one percent (1%) annual chance ~~100-year~~ flood level as shown on the FIRM ~~Flood Insurance Rate Map~~. Nonresidential structures within the FAOD ~~Special Flood Hazard Areas~~ shall either be similarly elevated or, together with attendant utility and sanitary facilities, be watertight flood-proofed to or above the one percent (1%) annual chance ~~100-year~~ flood level. Substantial improvement shall include any repair, construction or alteration costing fifty percent (50%) or more of the actual cash value of the structure before improvement or, if damaged, before damage occurred.

9.2.4.~~2~~5 Where watertight flood-proofing of a structure is permitted, a Registered Professional Engineer or Registered Professional Architect shall certify to the Building Inspector that the methods used are adequate to withstand the flood depths, pressures and velocities, impact and uplift forces and other factors associated with the one percent (1%) annual chance ~~100-year~~ flood level. In all events, construction shall conform with the minimum standards of the Massachusetts State Building Code. The Building Inspector shall obtain and maintain records of elevation and flood-proofing for new construction or substantial improvements to existing sites and these certificates shall be maintained for a permanent

record by the Building Inspector.

9.2.4.6 Base flood elevation data shall be required for developments involving more than 5 acres or more than 50 lots, within unnumbered A zones.

9.2.5 **Exemption by Special Permit.** The Board of Appeals may by special permit exempt from the requirements of this Section any structures within the FAOD which would be functionally impaired by such measures, which would require waterside location, and which are not used for sustained human occupancy; provided that the Board of Appeals finds that such structures do not substantially derogate from the purposes herein.

~~9.2.5.1 No special permit for any use, including land fill, shall be granted by the Board of Appeals in the FAOD unless the Board finds that the proposed use, when combined with all other uses and anticipated uses, will not increase the water surface elevation of the 100-year flood level more than one (1) foot at any point.~~

9.2.6 **Notification of Watercourse Alteration.** The Town Engineer shall notify adjacent communities, the National Flood Insurance Program (NFIP) State Coordinator, and the NFIP Program Specialist, of any alteration or relocation of a watercourse.

2) Amend the Official Zoning Map to properly reflect by reference the delineations of all Special Flood Hazard Areas designated as Zone A and AE as set forth on the Flood Insurance Rate Map, effective as of July 17, 2012.

This concluded the edits and public comments on the proposed zoning amendment articles.

Upon a motion by Mr. Olanoff and seconded by Mr. Montgomery, the board voted unanimously in favor to continue the public hearing until Monday, March 26th at the Westwood High School, Little Theatre.

Continuation of Public Hearing for Upper Story Residential Overlay District (USROD) Special Permit and Environmental Impact and Design Review (EIDR) Approval for Colburn School Building – 668 High Street
Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin the board voted unanimously in favor to immediately continue this hearing without testimony taken, to Tuesday, March 27th at 8:00 p.m. in the Champagne Meeting Room.

Continuation of Public Hearing for Consideration of an 11-buildable lot Definitive Subdivision to be known as Morgan Farm Estates Subdivision & for Consideration of the Modification of an 8-buildable lot Definitive Subdivision known as Powissett Estates Subdivision, and for Consideration of any Alternative Subdivision Plan submitted by the Applicant – Wall Street Development

Continuation of Public Hearing for Consideration of Open Space Residential Development (OSRD) Application for Morgan Farm Estates - Wall Street Development
Prior to reopening the hearings, Ch. Rafsky informed board members that Hale Reservation has decided against going forward with a land transfer with Wall Street Development Corp.

Ms. Loughnane informed the board that she submitted a draft OSRD-EIDR Approval reflecting the board's February 28th vote and the two earlier certificates of vote for waivers issues in association with the proposed OSRD plan to Tom McCusker for review; he has recommended that all three of these documents be signed and recorded with the Town Clerk. (A copy of both the DRAFT Notice of Decision and amended draft Notice of Decision are included with a copy these minutes.)

The following revisions were discussed:

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Revisions to "Background & Project Summary" - shown in red:

The Applicant submitted a definitive subdivision plan entitled "Second Modification of Definitive Subdivision of Powissett Estates and Definitive Subdivision of Morgan Farm Estates" dated August 16, 2007, revised thru November 9, 2010 (the "Definitive Plan"). Under the Definitive Plan the Applicant proposed to develop eleven (11) residential house lots by extending Morgan Farm Road, looping Morgan Farm Road into the Powissett Estates subdivision, and converting the emergency connector between Little Boot Lane and Shoe String Lane to a full public roadway. The Definitive Plan was denied by the Planning Board. Following an appeal, the Massachusetts Appeals Court remanded the Definitive Plan back to the Planning Board for reconsideration. The Planning Board opened a public hearing to reconsider the remanded Definitive Plan application, and encouraged the Applicant to submit an alternate plan that would not involve the looping of Morgan Farm Road into Powissett Estates and the conversion of the emergency connector.

In response to the board's suggestion, the Applicant filed an application for Open Space Residential Development (OSRD) , including an OSRD Concept Plan entitled "Open Space Residential Subdivision, Second Modification of Powissett Estates and Morgan Farm Estates, Westwood, MA", prepared by GLM, 19 Exchange Street, Holliston, MA 01746, dated October 24, 2011, (the "OSRD Plan") requesting approval to create ten (10) residential lots along a cul-de-sac, and to preserve 8.94 acres as permanent open space. The proposed development constitutes a use permitted in this district, subject to the issuance of an Open Space Residential Development Environmental Impact and Design Review (OSRD-EIDR) Approval by the Planning Board pursuant to Sections 8.3 and 7.3 of the Westwood Zoning Bylaw, and subject to the Planning Board granting waivers of several of the Rules and Regulations Governing the Subdivision of Land in the Town of Westwood, Massachusetts ("Subdivision Rules and regulations"), including a waiver of the five hundred (500) foot limitation on dead-end streets.

Revisions to "Project Findings" - shown in red:

- #3: The calculation required pursuant to Section 8.3.9.2 of the bylaw provides for a maximum base number of twenty (20) dwelling units that may be constructed on the Project Site. In connection with the Applicant's proposal to preserve 8.94 acres as permanent open space, the Applicant has offered to forego development any additional residential house lots on that 8.94 acres of land and, as such, proposes to develop no more than ten (10) residential house lots under the OSRD Plan. The Applicant has agreed to waive all rights to develop any additional residential lots on the Project Site pursuant to Section 8.3.9.2 of the bylaw, if the Planning Board were to approve the OSRD Definitive Subdivision application.
- #5: The OSRD plan for a maximum of ten (10) residential house lots is preferable to the proposed development of eleven (11) residential house lots described in the separate application of the Definitive Plan, in that the OSRD plan does not require, and will not result in, the looping of Morgan Farm Road into Powissett Estates and the conversion of the existing emergency connector between Little Boot Lane and Shoe String Lane to a full public way.
- #6: The OSRD plan for a maximum of ten (10) residential house lots is preferable to the proposed development of eleven (11) residential house lots described in the separate application of the Definitive Plan, in that the OSRD plan results in the permanent protection of environmentally significant wetland areas which contribute to Noannet Pond.

Revisions to "Waivers" – shown in red:

The Planning Board considered requests for the specific waivers listed below, to permit the 10-lot OSRD Plan as described in the Application approved herein, and determined that such waivers, as conditioned, are in harmony with the general purpose and intent of Section 8.3, will result in a substantially improved project, and will not nullify or substantially derogate from the intent or purpose of the Subdivision Rules and Regulations. The following waivers are granted by the Planning Board:

- #4: Waiver of Section IV.A.4.a of the Subdivision Regulations limiting the length of dead-end streets to no longer than five hundred feet, as conditioned in the board's October 11, 2011 certificate of vote, and as amended in the board's January 10, 2012~~,~~ certificate~~s~~ of vote, to allow for the proposed cul-de-sac as shown on the final OSRD Plan revised thru December 13, 2011.

Revisions to "Conditions of Approval"

- #2: The Applicant shall agree in writing to a reasonable extension of time, and further reasonable extensions, as necessary, for the Planning Board's continued reconsideration of the remanded Definitive Plan, for which a public

hearing was opened on July 26, 2011, in order to allow for the Applicant's submission of an OSRD Definitive Subdivision plan and related materials consistent with the OSRD plan, and to allow ample time for the Planning Board's consideration of said OSRD Definitive Subdivision plan in place of the remanded Definitive Plan.

- #3: The development shall be limited in perpetuity to a total of 10-lots, regardless of the number of lots which could otherwise be developed. Further division of any lot created along this portion of Morgan Farm Road, whether by ANR or any other method, is expressly prohibited, except that lots may be reconfigured, such that the total number of building lots does not exceed ten (10) lots.
- #4: All reasonable and appropriate measures shall be taken to improve fire-fighting capability within the development, including but not limited to the location of additional fire hydrants along the length of the cul-de-sac, ~~the installation of a looped water main if necessary to establish sufficient water flow~~, and the provision of an emergency access way if deemed necessary by the Planning Board.
- #8: The Applicant shall agree in writing to the withdrawal of any further consideration of the remanded Definitive Plan upon the granting of an OSRD Definitive Subdivision Approval, and the expiration of all appeal periods with no appeal being filed, and shall acknowledge that said Definitive Plan is replaced by the OSRD Definitive Subdivision plan addressed in Condition #2.
- #9: The Applicant shall ensure that there is no further removal of vegetation or disturbance of land anywhere on the Project Site until such time as permits are issued for construction of improvements associated with an approved OSRD definitive subdivision plan, provided the OSRD Definitive Subdivision Approval is granted and recorded on or before June 1, 2012, or such later date as agreed to in writing by the Applicant.

At this point, Ch. Rafsky reopened the Continuation of Public Hearing for Consideration of Open Space Residential Development (OSRD) Application for Morgan Farm Estates - Wall Street Development.

Ms. Loughnane read letters into the record from the following individuals: Eric Arnold, Hale Reservation and Angie & Dan Evans, 365 Dover Road in regard to comments on the matter before the board. (A copy of these letters is available with these minutes.) Ms. Loughnane noted that the request by Mr. & Mrs. Evans was received in a public meeting of the board and was been submitted to Town Counsel for comment. Town Counsel was unable to find an authority of the Town of Westwood that could require the Applicant to post a bond outside of the subdivision. Ch. Rafsky said this is not under consideration in this hearing.

Upon a motion by Mr. Wiggin and seconded by Mr. Montgomery, the board voted three votes in favor and one abstention to close the Open Space Residential Development (OSRD) Application for Morgan Farm Estates – Wall Street Development.

Ch. Rafsky reopened the Continuation of Public Hearing for Consideration of an 11-buildable lot Definitive Subdivision to be known as Morgan Farm Estates Subdivision & for Consideration of the Modification of an 8-buildable lot Definitive Subdivision known as Powissett Estates Subdivision, and for Consideration of any Alternative Subdivision Plan submitted by the Applicant – Wall Street Development.

Upon a motion by Mr. Olanoff and seconded by Mr. Montgomery the board voted unanimously in favor to continue the public hearing for the consideration of an 11-lot buildable lot definitive subdivision to be known as Powissett Estates Subdivision, and for Consideration of any Alternative Subdivision Plan submitted by the Applicant to Monday, April 9th at 8:00 p.m. in the Champagne Meeting Room.

Continuation of Public Hearing Public Hearing for Limited Environmental Impact and Design Review of an Exempt Use for Proposed Lochland Hall Religious Facility – 282 Blue Hill Drive
Ch. Rafsky reopened the hearing.

Philip Markham and Laurence Markham were present at the meeting along with Artie Jones from Cheney Engineering.

Ch. Rafsky reported that the board received the outstanding submission of copies of documents demonstrating ownership of the property by an exempt religious institution, a revised drainage report, lighting and landscape plans.

Ms. Loughnane reported that there are a few outstanding issues that must be addressed and referred to an email received by Chris Gallagher, Deputy Director of DPW with details:

- Guardrail should be installed at the rear of the lot. (Mr. Markham presented revised plans dated 03-12-12, to the board depicting this.)
- Subcatchment areas should be shown in the drainage report, confirming size and flow patterns/rates of the site. (Artie said he would provide this information to Chris Gallagher.)
- Oil/grease separator is needed prior to infiltration – (A stormceptor is now shown on the revised plans.)
- O & M Plan: What method will be used to remove sediment from the infiltration system? (Mr. Markham said hydraulic methods would be used to remove sediment and Artie said this information would be provided to Chris Gallagher.)
- Lighting specifications/details for 175 watts Metal Halide Light, Pillar w/light (Mr. Markham said the photometric plan has been changed to 400 watt with a shield. Pillar w/lights already existing.) Ms. Loughnane said the lighting is sufficient. Board members commented that the parking lot is very dark. (Mr. Laurence Markham requested that bright light installation be avoided. Mr. Markham said lighting would be turned off after any service.)
- Landscape Plan – Ms. Loughnane said the landscaping is sufficient.
- Clarification is need regarding overflow of the infiltration system and the stormwater requirements. (Ms. Loughnane said this has been addressed.)

Ms. Loughnane informed the board that Chris Gallagher has not seen the revised plans and the revised drainage report as of 03-12-12. The board would like him to review the revised plans. Ms. Loughnane also suggested the installation of bollards at a location in the parking lot near a covered porch.

Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin the board voted unanimously in favor to approve the Limited EIDR for 282 Blue Hill Drive conditional upon the approval of the drainage by Chris Gallagher, addition of lights and bollards, and to close this hearing.

Public Hearing for Environmental Impact and Design Review (EIDR) Approval and Earth Material Movement (EMM) Special Permit for Progressive Insurance – 62 Everett Street

Sean McDermott with Zaremba, LLC was present on behalf of Progressive Insurance and gave a brief summary of the project and a list of requested waivers.

Highlights of the project include:

- 21, 197 sq. ft. building with a canopy near the front entrance and a carport within the secure parking area behind the building.
- 119 parking spaces, 26 are secured parking spaces, approximately 80 will be for employee use
- Meets all dimensional requirements of the bylaw including buffer areas, setback and building height.
- Impervious area will be reduced to less than 50% & plantings will complement the architecture and enhance the natural features of the area.
- Project provides ample space for vehicular, bicycle and pedestrian circulation and traffic impact.
- Redevelopment will include stormwater management improvements and complies with the MA DEP standards.
- Advertising features - building elevations were shown depicting company logo/signage.

Waiver Requests:

Section 6.1.17.1 - Landscape Design Requirements (Applicant said the existing gas easement, security fencing, snow storage area prohibit strict adherence to the bylaw.) PB requested additional two foot high screening bushes on front of the property on Everett Street - applicant agreed to add these. A suggestion was made to move snow storage area - applicant said it cannot be moved due to the proximity to the riverfront buffer.

Section 6.4.10 - Lighting Levels (Applicant said secured parking areas and area under the proposed canopy slightly exceed the maximum light levels for security and operational reasons.)

Section 7.3.6.7 - Model (Applicant has provided additional perspective renderings.)

Section 7.1 - Drainage Calculations (Applicant stated the cover depth over proposed drainage pipes and pipe material be reduced from 3.5' to 2'.) Beta stated that this should be sufficient as long as the installation is done correctly.

Peer Review Consultant Phil Paradis from Beta Engineering provided a review of the project and provided a report, which was distributed to board members prior to tonight's hearing. (A copy of this report is available with these minutes.)

Mr. Paradis highlighted some unique characteristics of this project:

The Town line is in the right of way and the development parcel lot is located in Westwood, while Everett Street itself is located in Norwood.
This site has existing RAO environmental concerns.
This parcel contains an easement which provides physical access to the parcels associated with the Glacier Everett Redevelopment. A suggestion was made to the applicant to consider moving the access point to the opposite side of the property so as to keep a minimum curb cut of 24' as opposed to 36'.

Ms. Loughnane suggested that the board continue this hearing to allow the Applicant to respond in writing to the report produced by Beta Engineering and then asked Beta Engineering to follow up to that report and be ready to answer any questions of the board at that meeting.

Ch. Rafsky and other board members agreed.

Ch. Rafsky opened the hearing to public comments.

Don Foster, Everett Street asked for clarification on where the access road is proposed.

Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin, the board voted unanimously in favor to continue this hearing until Monday, April 9th at 8:00 p.m. in the Library Meeting Room.

Continuation of Public Hearing for Consideration of Flexible Multiple Use Overlay District (FMUOD) Special Permit and Consolidated Approvals, including but not limited to, Major Business Development (MBD) Special Permit, Earth Material Movement (EMM) Special Permit, and Environmental Impact and Design Review (EIDR) Approval - 40 Allied Drive, Dedham and Circumferential Highway/Route 128, Westwood
Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin the board voted unanimously in favor to open and closed this hearing without additional testimony taken.

Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin, the board voted unanimously in favor to adjourn the meeting at 11:40 p.m.

Westwood Planning Board
Meeting Minutes
March 13, 2012
7:30 PM
Champagne Meeting Room

List of Documents, Materials and Exhibits

- Updated Redline Draft – Zoning Amendments, version dated 03-13-12
- Document from Michael Cagan regarding edits to WCOD article
- Letters from residents: Blue, Molloy, Evans, Arnold against adding the Carby Street site from WCOD 2
- Draft OSRD-EIDR Decision for Morgan Farm Estates
- Draft Certificate of Vote – Waivers of Subdivision Requirements
- Draft Certificate of Vote – OSRD Concept Plan Approval, Waivers of Certain Subdivision Requirements
- Memo to S. Rafsky, dated 03-09-12, from Phil Paradis of Beta Engineering re: Progressive Insurance, 62 Everett Street Special Permit & Site Plan Peer Review