

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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PLANNING BOARD

DECISION OF THE PLANNING BOARD
Environmental Impact and Design Review for Earth Material Movement
270 Farm Lane

APPLICANT: Onofrio Paparazzo
22 Churchill Place
Dedham, MA 02026

PROPERTY OWNER: 270 Farm Lane, Westwood LLC
18 Norfolk Street
Dedham, MA 02026

PROPERTY LOCUS: 270 Farm Lane
Westwood, MA 02090
Assessor's Map 10, Lot 023

BACKGROUND AND PROJECT SUMMARY

The Applicant proposes to bring in over 200 cubic yards of fill to re-grade the property after demolition of the existing house for the construction of a new single-family home, attached garage, patio, and driveway at 270 Farm Lane. The property is located in the Single Residence E (SRE) zoning district. The proposed earth material movement for import and re-grading of greater than 200 cubic yards is subject to an Environmental Impact and Design Review approval, pursuant to Sections 7.1 [Earth Material Movement] and 7.3 [Environmental Impact and Design Review] of the Westwood Zoning Bylaw.

STATEMENT OF FINDINGS

PROCEDURAL FINDINGS:

After having reviewed all the plans and reports filed by the Applicant and its representatives and having considered the technical analysis, supplemental information provided during the course of the public hearing, correspondence and testimony from representatives from various boards and commissions and departments within the Town of Westwood and from all other interested parties, the Town of Westwood Planning Board makes the following procedural findings and project findings:

1. On December 5, 2019, an application was filed by Onofrio Paparazzo, pursuant to Section 7.1 [Earth Material Movement] and Section 7.3 [Environmental Impact and Design Review] of the Westwood Zoning Bylaw with the Westwood Planning Board and the Westwood Town Clerk (hereinafter "Application").
2. Pursuant to M.G.L. Chapter 40A, Section 9 and 11 and the applicable provisions of the Westwood Zoning Bylaw and the Rules and Regulations of the Westwood Planning Board (hereinafter "Rules and Regulations"), the Planning Board caused notice of the public hearing to be published in the *Transcript and Bulletin*, a newspaper of general circulation in Westwood, on Thursday, December 19, 2019 and again on Thursday, December 26, 2019.

Notice of the public hearing was posted in the Westwood Town Hall commencing on December 12, 2019 and continuing through the opening of the public hearing on January 7, 2020. Said notice of the public hearing was mailed postage prepaid to all Parties in Interest as defined in M.G.L. Chapter 40A, Section 11 on December 12, 2019.

3. The Planning Board provided copies of the Application to other Town of Westwood boards and commissions, departments and officials including, but not limited to, the Board of Health, Board of Selectmen, Building Commissioner, Conservation Commission, Department of Public Works, Fire Chief, Police Chief, Consulting Town Engineer, Historical Commission, and Pedestrian and Bicycle Safety Committee on December 17, 2019.
4. After notice and publication was provided pursuant to M.G.L. Chapter 40A, Section 9 and 11, the public hearing on the Application commenced on January 7, 2020 in the community meeting room at the Library, 660 High Street, Westwood, Massachusetts, 02090. The Planning Board closed the public hearing on January 7, 2020.
5. Westwood Planning Board Members Brian D. Gorman, Deborah J. Conant, David L. Atkins, Jr., William F. Delay and Christopher A. Pfaff deliberated on the Application at a duly authorized meeting on January 7, 2020.

PROJECT FINDINGS:

1. The subject property consists of approximately 1.8 acres located at 270 Farm Lane and is shown as Map 10, Lot 023 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. Presently, the project site consists of a foundation for new single family residence. The existing home was recently demolished; the Applicant proposes re-grading of the yard for the construction of a new single-family home including an attached garage, deck, and patio. The initial submission to the Planning Board by the Applicant included the import of approximately 500-600 CY of fill. After the initial submittal, the Applicant submitted a revised plan updated per Conservation Commission and staff comments that revised the plan to import approximately 200 CY of fill. The revised proposed plan presented to the Planning Board during the public hearing is entitled "Proposed Conditions Plan NO. 270 Farm Lane, A Single Family Home Improvement Project in Westwood, MA", prepared by Craig E. Cygawnoski, dated August 28, 2019, revised September 5, 2019.
3. The Applicant proposes to import approximately 200 cubic yards of fill to re-grade the property for the construction of a new single family residence. Plan proposes collecting roof runoff and directing to two drywell recharge systems in the front and back yards.
4. The Project was approved by the Conservation Commission under Order of Conditions DEP #338-0694.
5. The Project Site is located within the Single Residence E (SRE) zoning district. The proposed importing of earth material greater than 200 cubic yards is subject to an Earth Material Movement (EMM) EIDR, pursuant to Section 7.1 and 7.3 [Environmental Impact and Design Review] of the Westwood Zoning Bylaw.
6. Applicant/Owner is responsible for seeking and filing other required permits such as septic abonnement with the Board of Health/Westwood Health Division and Fire Department.

7. The Project, as modified by the Conditions of this Decision, will not be detrimental to the Town or to the general character or visual appearance of the surrounding properties, and will be consistent with all applicable standards set forth in Sections 7.1 and 7.3 of the Westwood Zoning Bylaw.

WAIVERS:

The Planning Board considered requests for the specific waivers listed below, and determined that such waivers will result in a substantially improved project; that such project will otherwise meet the performance and design standards set forth in this Section; and that such waivers will pose no substantial detriment to any adjacent property or proximate neighborhood, and will not nullify or substantially derogate from the intent or purpose of the Westwood Zoning Bylaw. The following waivers are hereby granted by the Planning Board:

1. Waiver of the strict requirements under Section 7.3.7.2 [Exterior Lighting Plan] of the Westwood Zoning Bylaw to provide an Exterior Lighting Plan. This project is re-grading for the construction of a single family residence and a lighting plan is not necessary.
2. Waiver of the strict requirements under Section 7.3.7.3 [Traffic Study] of the Westwood Zoning Bylaw to provide a traffic study. The Board finds this requirement not necessary for the removal and replacement of a single-family home.
3. Waiver of the strict requirements under Section 7.3.7.7 [Model] of the Westwood Bylaw to provide a presentation model. The Board finds this requirement not necessary for the removal and replacement of a single-family home.
4. Waiver of the strict requirements under Section 7.3.7.1.6 [Storm Drainage] of the Westwood Bylaw to provide a Stormwater Drainage Plan. The Board finds this requirement for a full stormwater drainage report is not necessary for the removal and replacement of a single-family home. Applicant has proposed collection of roof runoff into drywells in the front and back yard that will be directed into two water recharge systems.

DECISION:

On January 7, 2020, the Planning Board evaluated the Application in relation to the above Findings, and as the approving authority, by a vote of five (5) in favor and none (0) opposed, hereby grants Special Permit **Approval** pursuant to Sections 7.1 and 7.3 of the Westwood Zoning Bylaw for the Project as described above and in the application therefor filed in the office of the Town Clerk on December 17, 2019 and revised plan entitled "Proposed Conditions Plan NO. 270 Farm Lane, A Single Family Home Improvement Project in Westwood, MA", prepared by Craig E. Cygawnoski, dated August 28, 2019, revised September 5, 2019" subject to the Conditions stated herein, all of which are an integral part hereof:

CONDITIONS OF APPROVAL:

1. Except as modified by the Conditions and Findings hereof, the Project shall comply with the Project Plans in all respects and the Applicant shall pursue completion of the Project with reasonable diligence and continuity.

2. The existing pavement on Farm Lane shall be protected from damage from loading and unloading of material and/or equipment related to the proposed construction.
3. Applicant shall install a crushed stone entrance that shall be replaced when the stone becomes clogged with dirt or is no longer effective in preventing excess tracking of material onto the public way.
4. Applicant shall provide certification that the fill brought to the property is clean and does not contain any hazardous materials. Certification shall be from a professional and provided to the Town Planner prior to any fill being brought to the site and prior to issuance of a building permit.
5. Project related construction and earth material movement shall comply with the Town's General Bylaws Chapter 292, for Noise and Construction between 7:00 a.m. and 7:00 p.m. Monday through Saturday and 12:00 p.m. to 7:00 p.m. on Sundays.
6. All trucks carrying earth material to or from 270 Farm Lane shall be required to access Farm Lane via Fox Hill Street via High Street.
7. Applicant shall promptly repair any damage which Applicant causes to sidewalks, street pavement, signs or other fixtures or features within the public right of way, after obtaining permission from the Town. Such repairs shall be performed to Town of Westwood standards.
8. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.

APPLICATION AND PLANS

The Planning Board evaluated the Application filed by or on behalf of the Applicants in the Planning Office and the Office of the Town Clerk on December 17, 2019. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application prepared by Onofrio Papparazzo dated December 5, 2019, received by the Town Clerk and Planning Department on December 17, 2019.
2. Plan entitled "Proposed Conditions Plan 270 Farm Road: A single Family Home Improvement Project in Westwood, MA", prepared by RIM Engineering Co., Inc, dated August 28, 2019, revised September 5, 2019.
3. Staff Comments from ViewPermit for 270 Farm Lane.
4. Memorandum from Holly Faubert and Philip Paradis of BETA to Todd Korchin, DPW Director, Subject: 270 Farm Lane EMM EIDR, dated December 19, 2019.

RECORD OF VOTE

The following members of the Planning Board voted on January 7, 2020, to grant EMM-EIDR Approval for the abovementioned Project: David L. Atkins Jr., Brian D. Gorman, Christopher A. Pfaff, Deborah J. Conant, and William F. Delay.



Abigail McCabe, Town Planner

January 13, 2020