

**Town of Westwood Planning Board
Meeting Minutes
50 Carby Street
July 23, 2007
7:30 PM**

Board Members Present: Chairman Rob Malster, Steven Olanoff, Bob Moore, Bruce Montgomery

Board Members Absent: None

Staff Members Present: Diane Beecham, Town Planner; John Bertorelli, Town Engineer; Thomas McCusker, Town Counsel

Continuation of Public Hearing: Application for a Senior Residential Development at High Rock Village

Applicant: Tremont Redevelopment Corporation/Michael Lombardi

Address: 30+-acre parcel in vicinity of High Street and Mill Street

Project: Approximate 119-unit Senior Residential Development

[A verbatim transcript of this public hearing entitled "TOWN OF WESTWOOD Application for Special Permit for the Residences at High Rock Village, 1255 High Street, Route 109 Westwood, Massachusetts 02090, HEARING, Monday, July 23, 2007 7:30 p.m. at Westwood Town Hall, 50 Carby Street, Westwood, Massachusetts 02090, Robert C. Malster, Chairman; Steven H. Olanoff, Vice Chairman; Robert E. Moore, Jr., Secretary; Bruce H. Montgomery, Member; Diane Beecham, Town Planner; John Bertorelli, Town Engineer, Pages 1 – 120, transcribed by Janey Associates, P.O. Box 365355 Boston, MA 02136 will serve as the official minutes. A copy of this transcript is in the High Rock Village file.]

ANR Plan: Stonegate Village, Lot 8-W

Applicant: Wall Street Development

Address: Stonegate Lane/Stonegate Village subdivision

Project: Creation of buildable lot

Richard J. Gallogy of Rackemann, Sawyer & Brewster was present to discuss the ANR Plan. Mr. Gallogy stated that the purpose of the ANR plan is to create a buildable lot at Lot 8W Stonegate Lane.

Ms. Beecham stated that this particular plan has been submitted to the Planning Board before and has been rejected 3 to 4 times by previous Planning Boards. The issue dates back to the creation of the Stonegate Village subdivision and MRD plan. Ultimately the Planning Board approved the MRD plan, but as a condition, eliminated the eighth lot. Stonegate appealed the MRD special permit, but ultimately ended up using the existing roadway to create seven lots through the ANR process. The subsequent ANRs to create the eighth lot were not endorsed. The Planning Boards at that time indicated that since this lot has a stone wall bisecting the existing roadway, there is not access through the entirety of the frontage of the lot. At some point, the Applicant was able to get the eighth lot endorsed, but because of the unique configuration of this lot in order to receive the ANR endorsement, the Applicant has not been able to procure a building permit. The Westwood Building Inspector has denied the building permit based on the fact that there is insufficient lot frontage that is actually located in the Town (it is in Dover).

Mr. Gallogy stated that the lot has the required amount of frontage along a way approved under the Subdivision Control Bylaw on a "paper street" and it is not illusory frontage since

approximately 35 feet is provided between the wall and the lot line, which is more than enough to construct a driveway.

Mr. Olanoff asked if the land has been disturbed at all since the previous ANR plans had been submitted to the Planning Board. Ms. Beecham stated it had not and in fact, this plan is an exact replica of a previous ANR plan that had been submitted but not endorsed.

Mr. McCusker, Westwood Town Counsel, was present to provide his opinion in which he stated that 25 feet is adequate to provide access into the buildable portion of the lot. He cited a similar case on Route 2 in Lincoln in which the court ruled that the access was not to be considered illusory.

Mr. Moore asked Town Counsel if it was his opinion that this plan meets the requirements to receive ANR endorsement. Mr. McCusker confirmed that it is his opinion that the plan does meet the requirements for ANR endorsement.

On a motion by Bruce Montgomery and seconded by Bob Moore, the Planning Board voted unanimously in favor to endorse, as not requiring approval under the Subdivision Control Law, a plan entitled "Plan of Land Westwood, Massachusetts (Norfolk County).", dated June 27, 2007, prepared by GLM Engineering Consultants, Inc., 19 Exchange Street Holliston, Massachusetts 01746.

Record Owner: Wall Street Development Corp.
P.O. Box 272
Westwood, MA 02090

Applicant: Wall Street Development Corp.
P.O. Box 272
Westwood, MA 02090

Land Affected: Map 27, Parcel 230

Request for Extension to Opening of Public Hearing

Applicant: Northeast Development

Address: 24 East Street

Project: FAR Special Permit for Public Storage office building

On a motion by Bruce Montgomery, and seconded by Chairman Rob Malster, the Planning Board voted to unanimously approve the Applicant's request for an extension to open the public hearing beyond the 65 days for the FAR Special Permit for the Public Storage office building. The required time limited was extended to September 30, 2007.

The meeting adjourned at 9:25 pm.