

**Town of Westwood Planning Board  
Meeting Minutes  
Location: 50 Carby Street  
August 12, 2008  
7:00 PM**

***Board Members Present:*** Chairman Robert Malster, Robert Moore, Steve Olanoff. Bruce Montgomery and Henry Gale were absent from the meeting.

***Staff Members Present:*** Nora Loughnane, Town Planner; John Bertorelli, Town Engineer; Peter Alpert, Esq., Ropes & Gray.

Chairman Malster opened the meeting at approximately 7:05 p.m.

**Public Hearing to Consider Application of MetroPCS Massachusetts for EIDR to Install Wireless Communication Antennas on Existing Communications Facility at 808 High Street**

Ch. Malster read the legal notice for the public hearing. Mr. James Hoyt, the Attorney representing the Applicant, made the request to withdraw the application without prejudice, as a new application for EIDR and a Special Permit will be sought for MetroPCS, due to a change in the plans and height of the communication antenna.

Upon a motion by Mr. Moore and seconded by Mr. Olanoff, the Board approved the withdrawal of the application by MetroPCS, without prejudice.

**Continuation of Public Hearing to Consider Application of MetroPCS Massachusetts for EIDR to Install Wireless Communication Antennas on Existing Communications Facility at 200 Lowder Brook Drive**

At the last public hearing, Ch. Malster asked the Applicant to submit three-dimensional drawings with exact specifications of existing pole, proposed brackets and antennas, as well as the authorization from the property owner, Meditech. Attorney Ted Hoyt, representing MetroPCS, presented the Board with copies of the desired detail plans.

Ch. Malster asked the Town Planner if she received any information from the property owner, Meditech, regarding its authorization and copy of the lease agreement. Mrs. Loughnane, told the Board that she had spoken to William O'Toole, Meditech's attorney, who said that Meditech had fifteen days to either act against this sub-leasing agreement or choose to let the time lapse, and thereby deem approval. Mrs. Loughnane told the board that she had also discussed the matter with Town Counsel Tom McCusker, and that Mr. McCusker was of the opinion that the Planning Board's decision could be granted without Meditech's authorization. Mr. Hoyt stated that the leasing agreement with Cingular allows for this type of sub-leasing and co-location, without the need for further authorization from the property owner.

Upon a motion by Mr. Moore and seconded by Mr. Olanoff, the Board voted 3 to 0 to approve the application by MetroPCS for the installation of the above mentioned wireless communication antennas on the existing facility at 200 Lowder Brook Drive, subject to the standard conditions set forth in the draft decision, including bundling of the cables and painting of the antennas, cabling and brackets to match the monopole.

**Public Hearing to Consider Application of Charles River Association for Retarded Citizens, Inc. for Environmental Impact and Design Review approval for the**

## **construction and establishment of a group residence at 68 Pine Lane.**

Ch. Malster opened the public hearing by reading the legal notice. Present for the Applicant was John Grugan, President of the Charles River ARC and his architect, James Carr. Mr. Grugan gave the Board a brief presentation and history of the organization and its current project -- the acquisition of the single family home at 68 Pine Lane and its remodeling to serve as a group residence. He further explained that five adult females between the ages of 20-50 years old will be living in this new residence.

Ch. Malster welcomed Town Administrator Michael Jaillet to the public hearing and requested a brief synopsis of how the process began. Mr. Jaillet stated that discussion began with the Pine Lane neighbors after phone calls were made to the Board of Selectmen's office about activity at the house at 68 Pine Lane. He explained that just after Charles River ARC purchased the house on Pine Lane, and before plans could be developed and discussed with the town and neighborhood, a water pipe burst in a two-family duplex owned by Charles River ARC. There was an immediate need for emergency shelter for these residents, so they were moved to Pine Lane. This was a surprise to the neighbors. In response, the Board of Selectmen held a meeting with the neighbors and the Charles River ARC representatives. Mr. Jaillet said that the concerns of the neighbors were addressed at that time, but that the need for Environmental Impact and Design Review by the Planning Board was not recognized. He said that this was his oversight and the Charles River ARC was completely unaware that they needed to file an application for EIDR approval. Mr. Jaillet explained that the building contractor for Charles River ARC went to apply for a building permit, and was surprised to learn that he still needed to file with the Planning Board.

Town Counsel Tom McCusker noted that that, although the residence is exempted from the Zoning Bylaws as a non-profit educational facility, the Planning Board can impose "reasonable requirements or regulations" , particularly related to parking and screening of the project. Ms. Jill Onderdonk of the Housing Partnership/Fair Housing Office added that each of the five beds at the new group residence will count as a single affordable housing unit, for a total of 5 units toward fulfillment of the Town of Westwood's 40B requirements for affordable housing.

Jim Carr, the architect for the project, presented the proposed plans to the Board showing interior renovations, the addition of a five car parking lot, two walkways and a ramp in the rear of the house, as well as lighting and landscaping plans. He confirmed that the outside structure will not change in height or footprint. Ch. Malster asked that Mr. Carr identify the modifications that were made in response to previous meetings with the neighborhood. Mr. Carr said those modifications included a shifting of the site line screening, the addition of a six-foot high construction fence around the perimeter of the construction area, and the addition of large evergreen bushes and shrubs at the property line with 62 Pine Lane.

Mr. Moore asked if there were any wetland impacts at the site with the proposed drainage and construction of the parking lot. Mr. Bertorelli, Town Engineer, said that the Conservation Commission Specialist reviewed the property and didn't find any wetland concerns. Mr. Bertorelli further stated that there is minimal impact with the impervious surface proposed and that a three foot gravel strip between the fence and the parking lot will be installed. Mr. Olanoff requested the preservation of existing trees to the greatest possible extent. The Board discussed the number of parking spaces, lighting and landscaping in detail. The applicant stated its commitment to keep parking associated with the facility off the street.

Ch. Malster opened the meeting up for public comment. Mr. Jacobs of 62 Pine Lane expressed concerns about water draining onto his property with the addition of the parking lot. He also stated concerns about exterior lighting spilling over onto his property. Mr. Carr

identified the lighting on the plan, gave assurances that the lighting fixtures are designed for suburban residential setting. He noted that lights in the back of the house will be on a motion detector. Mr. Jacobs asked for additional screening with vegetation and possibly reducing the driveway to 12' instead of the proposed to 14'.

Mr. Parker of 56 Pine Lane expressed concerns about flooding in the cul-de-sac due to the lack of catch basins there. Mrs. Parker stated her opinion that two driveways are unnecessary. Mr. Olanoff asked if the existing garage could be used for parking. Mr. Grugan stated that the garage will be used for storage, and it would be impossible for him to mandate a staff member park in the garage due to the nightly shift changes which would necessitate the moving of cars in the middle of the night. Mr. Olanoff asked that the trash cans be stored in the garage.

Mr. Bertorelli suggested that the applicant hire a civil engineer to propose a plan for addressing the drainage questions. Ch. Malster stated that the board would take into consideration the neighbors concerns about screening, lighting and drainage. He asked the applicant to investigate the possibility of reducing the width of the driveway, and to return to the board with the requested information.

Mr. Carr asked the Board to consider approval of the application at this time so that interior work can begin. Mr. McCusker noted that the Planning Board's jurisdiction is on the outside of the structure only and would not hold up a building permit application. He said that he would inform the Building Department that interior work may commence prior to the receipt of Planning Board approval.

A motion was made by Mr. Moore and seconded by Mr. Olanoff, and the board voted 3 to 0 to continue the hearing to September 8, 2008 at 7:00 p.m.

#### **Philips Estates Subdivision Plan Endorsement by Planning Board**

Three members of the Planning Board, Robert Malster, Robert Moore and Steven Olanoff signed the plans for the previously approved Philips Estates Subdivision. These plans will be filed with the Town Clerk, recorded at the Registry of Deeds and the Planning Board will receive two copies, one for the file and one for the Building Commissioner.

Ch. Malster opened the Westwood Station portion of the meeting at approximately 7:30 p.m.

#### **Continuation of Planning Board Public Hearing: Amendment #1 to the MPSP for the Westwood Station Area Master Plan**

#### **Continuation of Planning Board Public Hearing: EIDR for Phase 1B of the Westwood Station Area Master Plan**

#### **Public Hearing: First Amendment and Supplement #1 to the Application for Amendment #1 to the Area Master Plan Special Permit and Consolidated Special Permits for Westwood Station**

***Applicant:*** CFRI /Doherty with Cabot, Cabot & Forbes & Commonfund Realty in collaboration with New England Development.

***Address:*** CFRI/Doherty Westwood Station Holdings, LLC, f/k/a CFRI/Doherty Blue Hill Drive, L.L.C., as successor to: CFRI/Doherty 213 Whitewood Road, LLC, CFRI/Doherty 75 University Avenue, LLC, CFRI/Doherty 50 Rosemont Road, LLC, CFRI/Doherty 22 Marymount Avenue, LLC, CFRI/Doherty 145 University Avenue, LLC, CFRI/Doherty 165 University Avenue, LLC, CFRI/Doherty 201 University Avenue, LLC, CFRI/Doherty 245

University Avenue, LLC, CFRI/Doherty 35 Harvard Street, LLC, CFRI/Doherty 40-46 Harvard Street, LLC, CFRI/Doherty 47 Harvard Street, LLC, CFRI/Doherty 730 Canton Street, LLC, CFRI/Doherty 160 University Avenue, LLC; and NStar Electric Company, and NStar Gas Company, to consider

[A verbatim transcript of these public hearings, Tuesday, August 12, 2008, 7:30 p.m. at 50 Carby Street, Carby Street Municipal Office Building, Champagne Meeting Room, Westwood, Massachusetts 02090, Robert C. Malster, Chairman; Steven H. Olanoff, Vice Chairman; Robert E. Moore, Jr., Secretary; Bruce H. Montgomery (absent), Member; Henry W. Gale, (absent) Member; Nora Loughnane, Town Planner; John Bertorelli, Town Engineer, Peter Alpert, Esq.; Ropes & Gray. Pages 1-97, transcribed by G&M Court Reporters, Ltd., 42 Chauncy Street, Suite 1A, Boston, MA 02111-2211 will serve as the official minutes. A copy of this transcript is in the Westwood Station file.]