

Westwood Planning Board Meeting
Tuesday, March 12, 2019
7:00 pm
Downey Elementary School Cafeteria
250 Downey Street, Westwood, MA 02090

Call to Order:

The meeting was called to order by Chairman Atkins at approximately 7:01 pm. The meeting was video recorded by Westwood Media Center. Chair Atkins explained the meeting procedures and summarized the agenda.

Present:

Planning Board members present: David L. Atkins, Jr., Michael L. McCusker, Brian D. Gorman, Christopher A. Pfaff and Deborah J. Conant. Staff members present: Abigail McCabe, Town Planner, Nora Loughnane, Community & Economic Development Director and Jessica Cole who recorded the meeting minutes.

Change to the Agenda:

Ms. McCabe reported that the applicant has requested a continuance for 340 Clapboardtree Street, Limited EIDR Public Hearing - St. Mark's Cathedral request to construct new entrance and accessible ramp on west side of building will need to be rescheduled.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, the Planning Board voted 5-0 to move the hearing of 340 Clapboard Street, Limited EIDR to Tuesday, March 19, at 7:00 pm at 50 Carby St.

45 Clapboardtree Street, The Green Company – Open Space Residential Development (OSRD) Special Permit Public Hearing. Proposal to construct access road for 40 age-restricted residential dwellings (condominiums), open space area including preservation of the existing fields, meeting facility, stormwater management, landscaping, and associated site work.

Michael Terry, Attorney to the Applicant, summarized the Green Company's Development. They have had an organized neighborhood meeting and they have demo approval from the Historical Commission. Mr. Terry said that the proposal is compliant, it preserves over 50% of the space and it will provide affordable and senior housing.

Dan Green, President of the Green Company, did an overview of the project, and explained the changes that they have made since the Public Hearing in December. Been working with Lifeworks in town and will be a group home for 5 people. The Open Space will be kept in its natural state and will keep a larger buffer. Mr. Green has have accepted most of the peer reviewers comments.

The Green Company will provide a meeting house and will add historical elements from the existing structures on-site, and will follow up with the Westwood Historical Commission. All homes are duplexes with a maximum of 2 bedrooms. The Landscaping Plan will consist of 68 street trees- landscaping plan, 200 native deciduous shrubs and 2,000 white pine seedlings to help with the buffer for the residents. And spoke of the sidewalk that be away from the driveways. Mr. Green went through specifics of the homes through photos and drawings of the homes, inside and out. He spoke about the drainage for the project. All runoff will go into detention basins, there will be open drainage, and underground leaching chamber.

Engineer at VHB, discussed the waivers that were submitted and if the developer can deviate a little from the waivers. He proposed a meandering path, he wants to deviate by small amounts and asking for slight reductions because they are not a subdivision.

Phil Paradis, the Planning Board's Peer Review Consultant, BETA Group pointed out a few things based on the presentation by the applicant. Mr. Paradis discussed whether a gravel parking lot for the soccer field is appropriate, he wants to see the adjacent properties relative to screening. He is not sure if the Meeting House is appropriate, so he suggested more Planning Board discussion. He wants the Planning Board to discuss the sidewalks, and add bike

racks at the soccer field and Meeting House. Stormwater management will have to have easements to be able to access them. He asked the Board to Consider granite or berm and the sidewalk issue. Mr. Paradis does not see a huge impact on the traffic. Fence does not maintain the property line, so the Planning Board should continue to discuss.

Staff Comments:

Ms. McCabe has a letter from Select Board supporting this project, 55 and over, concern about density might be a little high, support the project proposing over 15% will be affordable at 6 units proposed. Ms. McCabe reported that the Westwood Housing Partnership met earlier today, and they are supportive of 2 units in open space development, but note that they will be required to be evenly distributed in the development and undistinguishable, and support for the other four units in the group home.

Staff & Board Questions & Comments:

The Soccer Field, is it regulation size for 11 v 11 and Mr. Green will be reaching out to Westwood Soccer Association.

The Planning Board may visit Mr. Green's Property in Sudbury, that will be similar Dudley Brook Preserve is at 40 Tall Pine Rd in Sudbury.

The Planning Board has concern with having sidewalks, Mr. Steve Olanoff-Ped and Bike Committee: said that "We want every street in town to be pedestrian friendly." He said that a SubDivision requires sidewalks on both sides, it does not allow the Planning Board to waive sidewalk on both sides, there is a minimum of one sidewalk and can donate the money that it will cost the town.

Ms. McCabe we are comfortable with a meandering sidewalk and donate sidewalks.

Mr. Green told the Planning Board that it is a Private Road, but open to 2 way traffic.

Our bylaws require sidewalks on new roads in town

Parking lot and soccer field deeded to the town, gravel lot and an elevated sidewalk too?

-Yes, and the Town will maintain it.

There will be a Homeowners Association

The owners will receive a code on a door pad for the Meeting House.

Mr. Green does have Developments with sidewalks.

Mr. Green spoke about the retention basins, which will be grass and shrubs, they can't put trees, so they will be slightly mounded

There will be asphalt roads and driveways and the Fire Department has approved the locations of the Fire Hydrants.

The development will do the Snow Removal and will rent 1 Bobcat for the season, and store it in the guest parking.

Mr. Green is looking for suggestion for names of the Development.

White pines do not grow very well and Mr. Green will come up with something else.

The Stockade Fence will be completely replaced.

The Meeting House is a single space with storage in basement and will use artifacts from Westwood Lodge which will include: Corner Cabinets, mantel, try to salvage 2 doors.

Public Comments:

K. Winn, 10 Cedar Hill Drive, asked where will the mailboxes be?

-In the Meeting House, concerned in the winter, should have sidewalks.

No different is access for the affordable? Maintain meandering sidewalks.

-The sidewalks and road will be cleared and the Condo Associate will be responsible. All residents will be treated the same and will spread out the affordable homes, the Group home approved 5 then we can do 2 with the OSRD, and can change the locations. Lifeworks is committed to 5 residents in the 5 bedroom group home.

M. Eramo, 48 Clapboardtree Street, Wanted to know if a traffic study done? Driveways will be in the same locations, or will they be moved? Clapboardtree driveway is 15 feet towards Pond Street, 22 foot right of way is required

S. Arnone, 59 Colby Way, Mentioned the fence that is in disrepair, he speaking for 10 families
We have retained counsel and the fence, no resolution property line. Still discussing the property line.

A, Mullin, 126 Pond Street, Commented on the gravel parking lot, lots of young kids, rocks, dust, why would you put gravel there? How fast you can get the parking lot and soccer field up and running?
-Westwood will probably will miss the Fall 2019 season.

S. Olanoff, Glandore Road, would like to see the developer to show fences and make clear where driveways are, they need to be on the plans. Soccer Field in perpetuity, have Town Counsel look at it. Is there enough parking? Waivers, section 5, no one asks for a waiver of the entire requirement.

M. Watsky, 65 Mayfair Drive, was concerned about the Temple, he would like to see a more detailed sidewalk from the Temple to soccer field. He thinks that the driveway is a bad idea, he has concerns about the existing fence and he would like to see some landscaping by the Temple.

-There will be no thru driveway, and will address landscaping concerns.

Staff Comments:

Ms. McCabe mentioned some discussion points for the Planning Board which included: Affordability Requirement, Sidewalks, Meeting Room space, Infiltration System, Review Screening, the gravel parking lot and that the Planning Board should discuss the waivers from December.

Board and Staff Comments:

The Planning Board briefly discussed the waivers from December regarding the trees, the open space and that there was no need for a model. The Planning Board wants to require the sidewalk and will discuss this further, they want the 7 units of 5/2 in the proposal in perpetuity, the Planning Board was in agreement.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker the Planning Board voted 5-0 in favor to continue the public hearing to Tuesday, April 2 at 7pm at the Thurston Middle School Cafeteria, 850 High Street.

Continued Public Hearing for Zoning Amendments and articles submitted for Annual Town Meeting, Hearing for articles submitted to Town Meeting.

Chairman Atkins mentioned that Mr. Gordon and Mr. Pfaff did not make the last meeting and have watched the video and signed the certification form to be able to continue in the hearing.

Dan Bailey, Town Counsel, Land Use and Real Estate Lawyer, Interim Town Counsel. Mr. Bailey went over his 20 year background in town, and then went on to explain the legal issues. He explained the legal issues of Sober Homes, drug rehabilitation treatment facilities, hospitals and other uses that have potential protected status. He confirmed that the Town needs to allow that use where it is unlikely occur, if you don't do that you are exposed. The Town will require special permits, safety standards, traffic standards in a specific zoning district. Not addressing these uses leaves the town vulnerable to one being proposed in an undesirable location.

Staff Comments:

Ms. McCabe went over the history of this article and made suggestions to the Planning Board, and wants to find a location that the Board can ultimately support.

Board Comments:

Board members discussed removing it from the ARO near East Street area and if keeping 4.1.5.22, still opens it up, which will still make the Town at risk. A Board member suggested adding it in the Adult Overlay District, but it cannot go there because it is not included in the table of uses, the Planning Board would need to do a new map amendment, which was not part of the original legal notices for this current zoning article. The Planning Board needs a location that they can support, the Board agreed that after Town meeting they will have to re-address this and protect the Town by zoning for substance rehabilitation treatment centers. Lots of concerns about Rehab Facilities involving overnight stays. If not identified in the zoning bylaw, it could be proposed and argued that it is a use not identified and therefore proposed where similar uses are allowed.

Public Comment:

M. Dewan, 167 Carroll Avenue, said that he empathized with the Board, he lives 6 doors down from Meditech, and has concerns for the neighborhood. Stuart Healthcare behind Route One, just moved to Dallas, TX, He and the audience are most concerned about drug treatment facilities.

F. Jurczak, 33 Magaletta Drive, suggested option 4, creating an area for Substance Abuse Facility. He wants the Board to look at the Industrial District only and eliminate the IO.

D. Cross, 135 Elm Street, is concerned about crime coming to Town. Adult Entertainment cannot be 500 feet from residential area, can we do the same for rehab facilities. The Planning Board cannot fix tonight, but all applicants would need Special Permits.

PB originally wanted ARO only, but those areas are fully developed, so it is probably unlikely, Industrial District is ready for development and it is more attractive.

Ms McCabe Modified language only by Special Permit, it still requires a Special Permit from the Zoning Board of Appeals.

Mr. Casey, 141 Carroll Avenue, is a 40 year resident. He said that Meditech was originally residential and then went to commercial and he received a pledge from the Town that the property would only be used for research. He was promised that the land would never be unchanged. Will the town honor the Pledge that he received?

S. Sarma, is concerned if we don't do this, is the whole Town is at risk, and who performed that risk analysis and do all do all Towns around us have this in their bylaws?

J. Depalma, 106 Strasser Avenue, wanted to know what members live in the Downey School area, with the answer being 2 of 5. She wants to know what will happen if we do nothing, and why put our neighborhood at risk? The response is that the Planning Board really does not know what will happen if we do nothing. Ms. Depalma wants to see the Town choose the area of University Station.

P. McLaughlin, 39 Hawthorne Street, stated that Mr. Bailey's explanation helped, issue is we are given 4 options, if we don't do this, something will happen tomorrow. He does not think this is accurate, and the Town should withdraw it. He is a Police Officer in Boston and is aware of the crime and what happens with rehab facilities and he doesn't want to see it in a residential neighborhood, there are lots of kids in the neighborhood. He wants the Board to reintroduce it next year.

K. Winn, 10 Cedar Hill Drive, said that it is an important project for the entire town, please stay engaged, and she mentioned that the CEO of Meditech is a Westwood resident.

Ms. O'Connell, 42 Hawthorne Street, said that she is all in about us caring for these patients, but having a rehab facility in a residential neighborhood will bring human trafficking and more into our community. It is a reality, a lot will come with the substance abuse clinics, and she wants our community to be safe.

Ms. Ameri, 121 Smith Drive, understands that everyone is just very passionate, she works for the Dept of Veterans Affairs, with PTSD and have substance abuse problems, these drug rehab facilities are where services are.

Dr. Chaudhry, 145 Elm Street, stated that he is a Physician who takes care of patients with substance abuse issues, and he does not want this in his neighborhood.

Dr. J. Yang, stated he is an Internist, I'm opening a wellness office, treat chronic pain, definition of a medical center just be careful with your language.

Staff & Board Comments:

The Planning Board discussed the existing definition in the zoning: Health care professional.
Office for excludes Medical Centers/Clinics

Does not include substance rehab/overnight facilities.

The Planning Board should change the language to make it more consistent. It was mentioned that healthcare professional is broader, in a sense it does not matter given what is in the bylaw.

The Planning Board proposed definition: negates medical center or clinic, no rehab facility is to be considered a medical center or clinic. The Planning Board is trying to clean up the language.

Change the IO to No in the use chart.

The Chairman proposed to approve to recommend to Town Meeting revised language that takes out substance abuse rehab center, defines Medical center clinic which is only permitted in the Industrial and the definition of Medical center clinic excludes substance rehab or treatment facilities.

Many Board members liked Option 4: Withdraw the Hospital and Substance Rehabilitation Treatment Facility use definitions and remove these uses from the Table of Uses portion of the article but keep the modified definitions for Medical Center or Clinic and Office of a Healthcare Professional and modify the Table of Uses to regulate where the Medical Center or Clinic can go.

Action Taken:

Upon a motion made by Mr. Gorman, and seconded by Mr. Pfaff, the Planning Board voted 5-0 to modify the article as reviewed tonight to update the table of uses for Medical Center or Clinic by special permit in (I) Industrial zone and rename the office of doctor/ dentist to office of healthcare professional as presented and revised language prepared by staff. Approved by a vote of 5-0.

Residential Accessory Uses:

Staff Comments:

Ms. McCabe wants the Planning Board to reconsider the language of the existing bylaw. We need to regulate residential parking, and tough for the building commissioner to enforce.

Board & Staff Comments:

The Board discussed the wording with suggestions from Ms. Loughnane.

Some Board members want the article to be about the structure and not about the parking.

Ms. McCabe stated that the building inspector gets phone calls about a neighbor that has 4-5 cars in the driveway.

Ms. Loughnane suggested at a minimum take out the wording "AREA", 3 cars are allowed if you take out the word area, and a 4th garage needs a special permit and a 4th car in the driveway. 3 in a garage and 3 in the driveway is okay. The Board wants to define structure, remove 'area'.

The Board and Staff came up with this wording: The parking or storage of more than 3 motor vehicles within an enclosure or covered structure or visible at normal eye level from any point on the abutting lot that is not screened from view. Or more that one commercial vehicle with a gross vehicle weight of less than 26,000 pounds, but only where in connection with a Principal Use on the same premises.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. Pfaff, the Planning Board voted 4-1 (McCusker) To modify the article as previously discussed by Ms. McCabe.

Fence Height Article:

Up to 8 feet, Mr. Olanoff suggested removing that section, no special permit needed.

7 feet by right and 8 by special variance. 6.3.10

Board Comments:

Original language is good.

Already approved.

Open Space and Recreation Plan (OSRP) - Continued Public Hearing. Plan approved on February 26, 2019.

Recommended not well received to fin com, and we can withdraw and submit straight to the state so we can receive grants from the state. No need to bring it to Town Meeting.

Staff & Board Comments:

There was discussion about the Fin Com meeting, and Ms. McCabe and the Planning Board suggests keeping the hearing open and how we can get this to town meeting. Ms. Loughnane suggested withdrawing it.

S. Olanoff, recommends withdrawing it. He said that it is not a fiscally constrained document, it is only a plan.
No public comment

Action taken:

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, the Planning Board voted 5-0 to withdraw the warrant article requesting Town Meeting endorsement of the Open Space and Recreation Plan.

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, the Planning Board voted 5-0 to continue the Open Space and Recreation Plan Public Hearing to Tuesday May 14th, 7pm at 50 Carby Street.

Approval Not Required (ANR) Plan, University Avenue (Assessor's Map 33, Lot 056) on east side of University Avenue

Staff Comments:

Ms. McCabe stated that the ANR plan will create 3 lots and all lots have 50 feet of frontage.

Mr. Pfaff is abstaining from discussion and voting on the ANR.

No Public Comment

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker the planning Board voted 4-0-1 abstain (Mr. Pfaff) to endorse the ANR at University Avenue.

Other Business:

- **Citizen Planner Training Collaborative Annual Conference Saturday, March 16 at Holy Cross**

- **Update from Subcommittees**

- **Update on Islington Center Redevelopment**

Ms. McCabe let the Planning Board know that the building permit has been submitted for CVS, and unfortunately the Blue Hart Tavern cannot be moved. Ms. Loughnane let the Board know that the building remover determined it was not movable, and Peter Paravalos, concurred. The Town will get that space.

Public Comment:

B. Hardigan, 40 Westdale Road, said that a big part of the project was the moving of the Blue Hart Tavern, we are losing a valuable piece of Westwood and it helped to approve Islington Center.

Staff Comments:

Planning Board, was not required to have it moved, if it was financially feasible, not required to save it.

There was never a guarantee, and every effort was made to preserve the building.

Update on Comprehensive Plan Update

Ms. McCabe let the Planning Board know that a survey will be coming soon and hopefully she will be selecting a consultant to oversee the plan update and reviewing new questions.

Adjournment:

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, the Planning Board members voted in favor (5-0) to adjourn the meeting at approximately 11:01 pm.

List of Documents:

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| <p>45 Clapboardtree Street - OSRD Application Summary, Town of Westwood 4 Step Design Process Summary, From: Grady Consulting, LLC, 2/5/2019, 8 pages Environmental Impact Narrative Statement, From: VHB, 2/5/2019, 6 pages Fiscal Impact Report, From: Fougere Planning & Development, Inc., 1/29/2019, 14 pages Floor Plans, 3 pages Landscape Plans, From: Grady Consulting, LLC, 2/4/2019, 3 pages Meeting House Plans, From: Duckham Architecture & Interiors, 1/23/2019, 3 pages Signed Application - Owner Authorization, Town of Westwood Site Plan Set, From: VHB, 2/5/2019, 18 pages Traffic Study, From: VHB, January 2019, 189 pages Waivers Request, 2 pages Yield Calculation, 2/5/2019, 1 page Affordable Housing Proposal, 2/14/2019, 3 pages Stormwater Management Report, From: VHB, 2/14/2019, 165 pages Public Hearing Notice, Town of Westwood, 2/15/2019, 1 page Planning Board Peer Review Report, BETA Group, From: BETA, To: Abigail McCabe, 3/7/2019, 12 pages Historical Commission Approval, Town of Westwood, 2/12/2019, 3 pages WHA/WAHA Letter, From: Westwood Affordable Housing Associates, 3/8/2019, 1 page</p> | <p>PDF</p> |
| <p>Zoning Amendment Public Hearing 2017 Fall Town Meeting Warrant Book, From: Westwood Finance and Warrant Commission, 11/13/2017, 25 pages Zoning Amendment Flowchart, 1 page Letter to Attorney General Zoning - August 2018, From: Board of Selectmen, To: Attorney General Hurley, 8/22/2018, 5 pages Public Hearing Notice (Brief Summary), From: Westwood Planning Board, 2/4/2019, 2 pages Public Hearing for Annual Town Meeting Planning Board Articles (Full Text), Town of Westwood, 2/15/2019, 6 pages Fin Com Article Sponsor Meeting - Article Intentions, Town of Westwood, 1/22/2019, 7 pages Planning Memo to Fin Com Initial Article Introduction, Jan. 2019, From: Westwood Planning Board, To: Jane O'Donnell, Julianne Bride and Finance and Warrant Commission Members, 1/17/2019, 4 pages Proposed Zoning Articles PB 2/26/2019 Hearing, Westwood Planning Board, 2/26/2019, 6 pages Finance and Warrant Commission March 4th Public Hearing Handout, 3/4/2019, 17 pages Planning Board Report to Fin Com, From: Westwood Planning Board, To: Jane O'Donnell and Finance and Warrant Commission Members, 2/28/2019, 9 pages Presentation to Fin Com (Not All Slides Presented), 2/4/2019, 20 pages Letter from Meditech, From: Howard Messing, To: Westwood Board of Selectmen & Westwood Planning Board, 3/5/2019, 3/5/2019, 2 pages Staff Recommendation to Planning Board Medical Use Amendment, Westwood Planning Board, 3/8/2019, 4 pages</p> | <p>PDF</p> |
| <p>Open Space and Recreation Draft Plan Public Hearing Notice, From: Town of Westwood, To: Community News Company, 11/15/2018, 2 pages Plan Cover Letter for Public Hearing, From: Town of Westwood, To: Westwood Residents, 12/18/2018, 1 page CPA Tax Background, 5 pages 2000 Open Space and Rec Plan, Town of Westwood, 2/8/2000, 74 pages Letter of Support – Select Board, From: Select Board, To: David Atkins & Westwood Planning Board, 1/29/2019, 1 page Appendix: ADA Access Self-Evaluation, 12/11/2018 Draft, 27 pages Appendix: Fall Survey Results, From: Westwood Open Space and Recreation Survey, Survey Monkey,</p> | <p>PDF</p> |

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| <p>23 pages Westwood Survey Summary, From: GM Goldson, 12/4/2017, 4 pages Open Space and Recreation Plan Draft, Revised January 29, 2019, 114 pages Conservation Commission Letter of Support, To: Abigail McCabe, 1/28/2019, 1 page Survey Summary Part 2, From: JM Goldson, 4/2/2018, 3 pages Survey Comparison of Two Sets of Survey Results, From: JM Goldson, 4/2/2018, 2 pages Draft Westwood OSRP revised 2/11/2019 CLEAN, Town of Westwood, 2/11/2019, 160 pages Draft Westwood OSRP revised 2/11/2019 REDLINED, Town of Westwood, 2/11/2019, 190 pages Approved Open Space & Recreation Plan (OSRP), February 26, 2019, 162 pages</p> | |
| <p>ANR University Avenue (Map 33, Lot 056) University Ave ANR LOTS M-N-O S1 Stamped 03-07-19, From: WSP USA, Inc., 2/26/2019, 1 page</p> | <p>PDF</p> |
| <p>Town Planner, Abby McCabe, Meeting Summary to Planning Board members, dated march 8, 2019, revised March 12, 2019 for March 12, 2019 (7 pages0</p> | <p>PDF</p> |