

Westwood Planning Board Meeting
Tuesday, April 23, 2019
7:00 pm
Downey Elementary School Cafeteria
250 Downey Street, Westwood, MA 02090

Call to Order:

The meeting was called to order by Chair Atkins at approximately 7:13pm. The meeting was video recorded by Westwood Media Center. Chair Atkins explained and read the meeting procedures that would be followed.

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.

UAMUD* Master Development Plan Special Permit, University Station Public Hearing – To amend the approved Master Development Plan for Development Area A for two office buildings.

Applicant:

Paul Cincotta of New England Development was present to discuss the modification made to the Master Plan from 2013, the proposed modification is to construct two office buildings instead of three in the same space. He said that design standards will not be negatively impacted.

Board Comments and Staff Comments:

Does making the plan smaller impact the town?

Ms. McCabe said there were no concerns with the reduction from three to two office buildings. RKG, the Board's fiscal peer reviewer, provided a summary report in the Board's packet, the RKG report concluded that even with the reduction the project is still financially beneficial to the town.

Chair Atkins opened the hearing up to any public comments.

Public comments: There were none.

Staff Comments:

Ms. McCabe stated that she prepared a draft motion that lists all documents and materials the Board received summarized all the findings needed to make for the special permit and modification to the master development plan. Dan Bailey, gave a recommendation to the Planning Board about reading an abbreviated motion by citing the section of the zoning bylaw.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, the Planning Board voted 5-0 to close the Public Hearing.

Upon a motion by Mr. Gorman and seconded by Mr. McCusker, the Planning Board voted 5-0, pursuant to section 9.7.12.14 of the Westwood Zoning Bylaw, the Planning Board approved the proposed master development plan special permit for modification of the master development plan in accordance with the written motion that is in front of us consisting of the 3 pages. Modification is approved.

University Station, Station Drive, Project Development Review Public Meeting – Proposal for 100,000 sq. ft. four story office building and ~513 parking spaces.

Applicant:

Paul Cincotta of New England Development was present and updated the Planning Board and summarized the design aspects that came out of previous meetings such as colored stamped asphalt crosswalks, fire access, 507 parking spaces and landscaping updated.

Board Comments and Staff Comments:

Please explain the Harvard Street sidewalk?

Mr. Cincotta said that today the sidewalk on the office side dead ends on Harvard Street as it starts to go up the hill's incline, but the Eversource side of Harvard Street goes all the way to the top. If the sidewalk goes to the entrance drive, there are 10% grades, and a sidewalk should not exceed 5%. There are crosswalks, so there is no need for a sidewalk. NED's proposal is provide a crosswalk from the lot's entrance across Station Drive to connect with the sidewalk on the other side of the street.

There is a 10% grade on the existing sidewalk too.

Do you cross the street twice or do you do the 10% grade?

No signals on Harvard Street? No.

Good site distance on both approaches of the entrance? Yes.

Who restripe? DPW

There are 2 crosswalks? Yes.

Double sided rail would be recommended if they do the 10% grade sidewalk.

How can we extend the sidewalk, it is 10% grade on both sides of the street? The outside is not as steep.

If we install a sidewalk it denotes it's safe and there are concerns with wheelchairs.

One Board member expressed support for sidewalks on both sides with the inclusion of a guardrail.

Board and Staff comments:

Chairman Atkins did an informal poll to see how the Planning Board felt about the sidewalk.

The Planning Board was okay with the proposal for the sidewalk to only be on one side going up Harvard Street to Station Drive parking lot entrance.

Ms. McCabe noted that BETA's review memo commented that one larger landscaped island verses two smaller landscape islands in the parking lot may make more sense. The Board should weigh in on the one or two landscaped parking lot islands for the lot on the southern side of the building.

Larger central space vs. smaller: Board was okay with the proposal.

Town Peer Reviewer, Merrick Turner from BETA, was present and feels most items have been resolved. He said that the lighting plan is substantially complete, and it just needs to be refined with some further revisions. Raised crosswalk verses texture for the Board's consideration.

A Board member had a question for BETA, Larger plantings would thrive better? Do you agree with the larger plantings? Mr. Turner felt that it was probably not a huge benefit.

Chair Atkins opened the meeting up to public comments.

Public comments: None

Chair Atkins noted that staff has prepared a draft list of findings and 12 Conditions for the board to consider. Condition #1 calls for plan revisions. The Board removed condition #1a calling for two landscaped parking islands as they agreed on one larger island and removed 1g agreeing that they would not require the sidewalk be extending up Harvard Street to the Station Drive southern entrance. The Board added the words "any plantings that do not survive shall be replaced in-kind" to the end of condition #7.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker the Planning Board voted 5-0 to approve the draft findings and conditions as prepared by staff and the draft dated April 23rd review here tonight and the 12 conditions that were modified this evening by removing conditions 1a and 1g and adding language to condition #7. Mr. Gorman read all 12 of the conditions of approval.

Action Taken:

Chairman Atkins took item 5 for the ANR plan related to this property on Station Drive out of order:

Approval Not Required (ANR) Plan, University Station UAMUD Development Area A map 33, Lot 013

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, the Planning Board voted 5-0 to find an ANR is appropriate for the Development Area A map 33, Lot 013. The plan was endorsed by the Board.

45 Clapboardtree Street, The Green Company Continued Public Hearing – Open Space Residential Development (OSRD) Special Permit and Limited EIDR* for Lifeworks Group Home on lot 1. Proposal to construct access road for 40 age-restricted residential dwellings (condominiums), open space area including preservation of the existing field and parking, meeting facility, stormwater management, landscaping, and associated site work.

Applicant:

Dan Green, President of the Green Company was present and said that all requested changes have been made and he has submitted estimate for the sidewalk construction cost and agrees to contribute \$70,000 to the Town's sidewalk fund which is how much it would cost for the Town construct a sidewalk along one side of the new access road and accounts for the 1 ft. reduction along the sidewalk to be constructed on the east side of the road, he has provided a draft deed for the lot 1 related to the Lifeworks home.

Board and Staff comments:

Any cost estimate from the DPW? Phil Paradis has reviewed the applicant's offer and the cost is adequate and it represents the town costs. The money will go into the Town's sidewalks fund to use around for sidewalks and sidewalk improvements at other locations in town. Ms. McCabe noted that the original request to construct a new sidewalk on the side of Winter Street that does not currently have a sidewalk is beyond the scope of this project because this project does not necessitate an additional sidewalk.

Chair Atkins opened the hearing up to public comments.

Public Comments:

M. Eramo-Young, 48 Clapboardtree Street, was present to express her concern is what would happen if Lifeworks expires?

Chair Atkins reported that a draft list of conditions was prepared by staff and asked staff to explain the first condition related to the affordable housing and the group home lot.

Ms. Loughnane responded that the Applicant's original proposal from The Green Company was to donate the lot 1 to Lifeworks for the Lifeworks to own to construct the group home to house the five bedroom group home that would provide 5 affordable units. Since the Zoning Bylaw requires the affordable units to be in perpetuity, the proposal has now changed to protect the "in perpetuity" requirement by offering the land to the Town, the Town would then own the proposed lot 1 and would then lease the lot to Lifeworks for the construction and operation of the group home. This provides more protection to account for the possible event that Lifeworks were to ever cease to exist because the lot is owned by the Town and therefore could not be sold as a different use. Condition #1 is a two parts to address what was raised at the last meeting if Lifeworks were to no longer to operate the group home. Part 1 of draft condition #1 calls for the Town to own the lot with a 99 year lease to life works and lists out all scenarios: the home

could only be leases as another group home uses eligible for SHI (subsidized housing inventory) as one affordable housing unit; or sold by the town for which the proceeds to be used for affordable housing elsewhere in town. Part 2 of the draft condition #1 call for The Green Company to contribute funds in the amount of \$10,000 per market-rate unit into the Town's affordable housing trust fund within 30 days of each sale. Essentially, the two-pronged approach provides a mechanism to provide at least the four affordable units required in the long term.

1. Prior to the release of the decision, as soon as possible thereafter and no later than 65 days after the close of the public hearing [June 27, 2019], Applicant shall submit legal documentation satisfactory to the Town Counsel and the Town Planner which documentation shall ensure a permanent means to provide at least four (4) off-site affordable dwelling units, to replace the proposed group home units in the event that the proposed group home units cease to exist or otherwise become ineligible for listing on the Subsidized Housing Inventory (SHI). Permanent means of providing off-site affordable units shall be substantially as described in parts a) and b) below, or in such other manner as determined by Town Counsel to be equally effective in providing permanent affordable dwelling units:
 - a) The Green Company shall convey Lot 1 to the Town, which shall then lease the property to Lifeworks in the amount of \$1, for 99 years or so long as Lifeworks shall operate a 4-unit or 5-unit group home on said property in a manner eligible for listing of all group home units on the SHI. If Lifeworks should cease to operate said group home, or if the group home units shall otherwise become ineligible for listing on the SHI, the Town may 1) lease the property to another SHI-eligible group home provider, or 2) sell or lease the property as an affordable housing unit, or 3) sell the property as a market-rate single-family home and use the proceeds to establish the maximum possible number of affordable dwelling units somewhere in Westwood.
 - b) The Green Company shall also contribute funds to the Town's Affordable Housing Trust Fund. Contributions shall be in the amount of \$10,000 per market-rate unit, and shall be provided within 30 days following the sale of each market-rate unit.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, The Planning Board voted 5-0 to approve the 20 waivers finding they were not necessary for this project as designed.

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, the Planning Board voted 5-0 to approve the findings as prepared by staff and summarized by Chair Atkins.

Ms. McCabe and the Board members reviewed and summarized the conditions. Intent is to \$10,000 per unit once, and will go to the Town for the Affordable Housing Trust Fund.

Public comment:

Ms. Eramo: Concerned about condition 46 & 22-Group Home will be treated? Ms. Loughnane replied strike condition 46 or change wording to accept as Pursuant to Condition 1. The language for condition #46 was changed to "except as permitted by condition #1 above".

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, the Planning Board voted 5-0 to approve the 49 Conditions of Approval.

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, the Board voted 5-0 to close the Public Hearing. The Public Hearing is now closed.

Zoning Amendment Public Hearing – Recommendation to Annual Town Meeting on five zoning amendment articles

Ms. McCabe stated that The Planning Board previously had public hearings on the zoning amendment articles, and has 5 Articles going to Town Meeting. Ms. McCabe summarized the 5 Articles, and asked the Board make a motion on the 5 warrants with a recommendation to Town Meeting.

Action Taken:

Article 18:

By a vote of 5 in favor and 0 opposed, the Planning Board votes to recommend that Town Meeting approve Article 18.

Article 19:

Mr. Gorman made a motion and Mr. McCusker seconded and by a vote of 5 in favor and 0 opposed, the Planning Board votes to recommend that Town Meeting approve Article 19.

Article 20:

Mr. Gorman made a motion and Mr. McCusker seconded and by a vote of 5 in favor and 0 opposed, the Planning Board votes to recommend that Town Meeting approve Article 20.

Article 21:

Discussion: Fin Com 3 voted in support, it is at the discretion at the Building Inspector, who is the policing agent. Do we amend it? Do we revisit it? It will continue to be an issue.

Mr. Pfaff made a motion to recommend Article 21, there were no seconds.

Mr. Gorman made a motion and Ms. Conant seconded and by a vote of 4 in favor and 1 (Pfaff) opposed, the Planning Board votes not to recommend Town Meeting approve Article 21.

Article 22:

Ms. McCabe stated it is a housekeeping amendment; in 2017 they were overturned by the Attorney General. They are all minor errors with no content changes to the zoning bylaw.

Mr. Gorman made a motion and Mr. McCusker seconded and by a vote of 5 in favor and 0 opposed, the Planning Board votes to recommend that Town Meeting approve Article 22.

Public Comments: None

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, the Planning Board voted 5-0 to close the Public Hearing on Town Meeting Zoning Articles.

Re-signing of Approval Not Required (ANR) Plan, approved at 3/12/19 meeting for University Avenue (Assessor's Map 33, Lot 056) on east side of University Avenue – plan re-signed

Other Business:

Land Appeal Update, 777 Dedham Street, Canton – Top Golf Settlement Agreement

Dan Bailey, Interim Town Counsel was present and discussed a tentative settlement, Top Golf high end driving range, golf, recreation, parties and events. The Select Board was concerned with 463 Parking spaces, and the Planning Board did not get notice from the Town of Canton or the Developer. There have been a settlements agreement, Westwood will receive \$250,000, and the Developer will work on directions on how to get there. Mr. Bailey does not have the final agreement yet, so he asks for the Planning Board to authorize the Town Planner to sign the Settlement which is expected by April 30, prior to your next meeting.

Action Taken:

Upon motion made by Mr. McCusker and seconded by Mr. Gorman, the Planning Board voted 5-0 to authorize Abigail McCabe, Town Planner, with advice of interim town counsel, to sign a settlement agreement among the Westwood Planning Board, the Westwood Selectmen, 777 Dedham Street LLC and Top Golf USA that resolves the appeal of the Topgolf special permit and site plan review on terms substantially similar to those presented here tonight.

Update on Islington Center Redevelopment:

Ms. McCabe summarized updates in Islington Center that CVS is progressing as planned building permit was issued in March and is expected open in the early fall. Town staff is working with an architect on the Islington Branch Library, also working with the Library Director, Youth and Family Services and The Recreation Departments. There have been no changes with plans. Initial review with the architect is that the Library can move safely, and they don't anticipate any issues. Ms. Loughnane, remarked that the Library had a study done by an engineer, and was said to be a sound building, it is a newer building than Blue Hart Tavern, and in better condition. The CVS will have curbside pickup parking spaces next to the building and no drive-through, which was part of the original special permit with two reserved signed spaces. The Board asked Ms. McCabe to review a recent email request about accessibility.

Public Comments:

F. Fusco, 20 Pine Lane, had a question about the curbside delivery. Where is the curbside pickup? It is 2 parking spaces within the parking lot close to the building's entrance

S. Larch, 14 Loring Street

Do we have a picture of the rendering that the Developer mailed out? Will it all fit?

Ms. Loughnane made clear that the plans were approved, and the rendering should be consistent, but the view can be distorted. The site plans are reviewed and approved by the Board artistic renderings do not always show as much detail. All plans are on the Town's Website, on the Projects link.

Board Comments:

When will the retaining wall go in? Probably the beginning of summer, it is part of the landscaping.

Comprehensive Plan Update – Visioning Session Public Forum Saturday, May 18 at 11:30 am-2 pm. Thurston Middle School Cafeteria, 800 responses from the survey.

Ms. McCabe updated the Planning Board that the appeal with the Tennis Courts lights, has been dismissed and Pulte building 1 will be open later this summer.

Adjournment

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, the Planning Board members voted 5-0 in favor to adjourn the meeting at approximately 9:40pm.

List of Documents:

University Station, Master Development Plan Special Permit Public Hearing Notice, From: Westwood Planning Board, 3/28/2019, 1 page Special Permit Application Package, From: New England Development, To: Westwood Planning Board & Westwood Town Clerk, 3/26/2019, 163 pages Current Master Development Plan Revised, From: Tetra Tech, 12/20/2018, 1 page Proposed Master Development Plan Modification (Development Area A Amendment), From: Tetra Tech, 2/20/2019, 1 page Fiscal Update-final April 12, 2019, From: Fougere Planning and Development, Inc., To: Town of Westwood & Westwood Planning Board, 4/12/2019, 5 pages Exhibit: Fiscal Update March 2017, From: Fougere Planning and Development, Inc., To: Town of Westwood & Westwood Planning Board, 3/17/2017, 10 pages	PDF
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<p>Exhibit Fiscal Update December 2017 (Pulte Homes), From: Fougere Planning and Development, Inc., To: Town of Westwood & Westwood Planning Board, 12/1/2017, 9 pages RKG Peer Review - Area A Office Fiscal, From: RKG Associates, To: Abigail McCabe, 4/19/2019, 2 pages BETA Review Comments Station PDR_03222019, From: BETA, To: Town of Westwood & Westwood Planning Board, 3/22/2019, 9 pages BETA Review Comments Station PDR_04182019, From: BETA, To: Town of Westwood & Westwood Planning Board, 4/18/2019, 12 pages Draft Planning Board Motion for UAMUD Master Development Plan Special Permit Draft Motion, dated April 23, 2019, 3 pages</p>	
<p>University Station, Station Drive, Project Development Review Public Meeting PDR Application, Narrative & Drainage Report, From: New England Development, To: Planning Board, Abigail McCabe & Dottie Powers, 2/27/2019, 240 pages Operation & Maintenance Plan (O&M Plan) Draft, 100 Station Drive University Station, 2/20/2019, 70 pages Site Plan Set, From: Tetra Tech, 2/20/2019, 25 pages BETA Review Comments, From: Merrick Turner, BETA, To: Abby McCabe, 3/22/2019, 9 pages Rendering East View, 1 page Rendering Patio View, 1 page Presentation to Planning Board April 2 2019, From: New England Development, To: Westwood Planning Board, 4/2/2019, 20 pages NEW: Applicant Response to Comments Office Building 04-10-2019, From: Tetra Tech, To: Paul Cincotta, 4/10/2019, 9 pages NEW: Revised Site Plans – Landscaping Modifications, From: Tetra Tech, 4/9/2019, 10 pages NEW: Building Elevations with Signage, From: SGA, 1 page NEW: University Ave Perspective View, 1 page NEW: AutoTurn Plan Garbage and Recycling Trucks, From: Tetra Tech, 2/2019, 2 pages NEW: 2013 Dynamic field Infiltration Calculation, 3/19/2013, 18 pages NEW: 2019 Dynamic Field Infiltration Calculation, From: Nathan H. Cheal, 3/29/2019, 18 pages NEW: C-121 – Grading and Drainage Plans, From: Tetra Tech, 4/15/2019, 1 page NEW: C-122 – Grading and Drainage Plans, From: Tetra Tech, 4/15/2019, 1 page NEW: C-123 – Grading and Drainage Plans, From: Tetra Tech, 4/15/2019, 1 page NEW: Site Lighting – Sheet 1, From: Tetra Tech, 4/9/2019, 1 page NEW: Site Lighting-Sheet 2, From: Tetra Tech, 2/20/2019, 1 page NEW: Site Lighting-Sheet 3, From: Tetra Tech, 2/20/2019, 1 page NEW: BETA Peer Review Comments, April 18 2019, From: BETA, To: Westwood Planning Board & Abby McCabe, 4/18/2019, 12 pages NEW: Revised Site Layout Sheets 04-17-2019, From: Tetra Tech, 4/17/2019, 4 pages NEW: Auto Turn Plan 2-2019 AT 14, From: Tetra Tech, 4/18/2019, 1 page DRAFT OM Station Drive 2.20.19 with BETA Comments, From: University Station, 2/20/2019, 70 pages FINAL Architecture Plans Set, From: SGA, 2/20/2019, 12 pages</p>	<p>PDF</p>
<p>45 Clapboardtree Street OSRD Public Hearing Applicant Responses to BETA Peer Review Updated 4-11-19, From: BETA, To: Abigail McCabe, 4/2/2019, 18 pages Revised Site Plans OSRD Special Permit, Revised April 11 2019, From: VHB, 4/11/2019, 19 pages Subsurface System-Figure 1, From: VHB, 4/11/2019, 1 page Subsurface System-figure 2, From: VHB, 4/11/2019, 1 page Infiltration Area 2 (Chambers) Mounding Analysis, 1 page Lifeworks Lot 1 Group Home Plan, From: VHB, 4/11/2019, 1 page Lot 1 Lifeworks Site Plan, From: Group 7 Design, 4/10/2019, 1 page Revised Landscape-Signage-Lighting Plans 2019-01-12, From: Grady Consulting, 2/4/2019, 4 pages</p>	<p>PDF</p>

<p>BETA Peer Review Comment Memo, April 15, 2019, From: BETA, To: Abigail McCabe, 4/15/2019, 17 pages</p> <p>Revised Site Plans, Revised April 18 2019, From: VHB, 4/17/2019, 19 pages</p> <p>Revised Landscape Plans 2019-04-17, Grady Consulting, 4/12/2019, 4 pages</p> <p>Applicant Response to BETA Comments 2019-04-17, From: BETA, To: Abigail McCabe, 4/17/2019, 18 pages</p> <p>Draft Group Home Deed Summary 04-018-2019</p> <p>Draft Soccer Field Lot Restrictions Summary 04-04-19</p> <p>Draft Quitclaim Deed with Restrictions 04-18-2019</p> <p>Public Comment Letter, Wayne</p> <p>Public Comment Letter, Fossella</p> <p>BETA's review of sidewalk construction estimate</p> <p>Draft conditions and findings 45 Clapboardtree Street, prepared by Town Planner</p>	
<p>Public Hearing for Zoning Amendments</p> <p>Public Hearing Notice, Full Text of Articles, Town of Westwood, 3/28/2019, 6 pages</p> <p>Public Hearing Notice, Short Version, Town of Westwood, 4/23/2019, 2 pages</p> <p>Annual Town Meeting Warrant, 4/10/2019, 16 pages</p> <p>Fin com ATM 2019 Book, 115 pages</p>	<p>PDF</p>
<p>ANR (Map 33, Lot 013)</p> <p>Development Area A ANR LOTS, From: WSP USA, Inc., 4/2/2019, 1 page</p>	<p>PDF</p>
<p>Memorandum from Town Planner Abby McCabe to Planning Board Members, Meeting Summary for April 23, 2019, dated April 19, 2019 revised April 23, 2019</p> <p>Community Vision Session Flyer</p>	<p>PDF</p>