

**Westwood Planning Board Meeting  
Tuesday, August 7, 2018 – 7:00 pm  
Champagne Meeting Room, 50 Carby Street  
Westwood, MA 02090**

**Call to Order:**

The meeting was called to order by Chairman Atkins at approximately 7:04pm.

**Present:**

Planning Board members present: David L. Atkins, Jr., Michael L. McCusker, Brian D. Gorman, Christopher A. Pfaff and Deborah J. Conant, staff present: Karon Skinner Catrone, Conservation Agent, and Jessica Cole who recorded the meeting minutes.

**420 Providence Highway, EIDR Public Hearing for façade improvements for Tesla car dealership –Applicant Submitted Request to Withdraw Application**

Applicant submitted a request to withdraw the submitted EIDR application. They are not ready to go forward this time.

**Action Taken:**

The Board voted to accept the Applicant's request to withdraw the application and voted to close the public hearing. It was noted that Ms. McCabe will prepare a written Leave to Withdraw Decision to officially close out the file. The Town of Westwood website has been updated and Ms. McCabe notified the abutter that had previously been interested in the hearing.

**248-252 Nahatan Street – Public Hearing for Limited EIDR\* to remove and replace double-sided sign at First Parish Church**

This is a Limited EIDR review. Because Religious Uses are protected under Mass General Laws they may locate in any Zoning District and cannot be subject to Special Permits. Thus, the existing and proposed signage is not permitted at this size in a residential zoning district. Typically, signage relief requires a special permit from the ZBA to exceed the maximum size but since this is a Religious/Protected Use it has been submitted to you as a Limited EIDR. The proposed sign is in the same location as is presently. The post, on the street side, measures approximately 6.5' from the ground to the top of the post and sign. The post, on the church side, measures approximately 6' from the ground to the top of the post and sign. This is due to the grade, which slopes down from the church to the road. The Zoning does not regulate content of signs but focuses on the size and location.

You should vote on the request for a fee waiver. You typically do waive application filing fee for non-profits. Motion on Fee Waiver: Approve filing fee for limited EIDR for First Parish Church. Motion on Limited EIDR: Recommendation to Approve

Action Taken:

Upon a motion made by Mr. McCusker and seconded by Mr. Pfaff to waive the application filing fee for non-profits. All Board members were in favor, 5-0.

Applicant:

Brian Bayer, moderator at First Parish.

The Applicant explained how the First Parish Church just did a large addition, they are coming to the end of the project and are looking to replace the current sign. It will be very similar as the Town of Westwood and First Baptist Church signs, and they want to keep the sign in the same place as the current sign. It does not obstruct the road.

Staff/Board Comments:

Granite posts, will they get bigger?

It will be 7 x 7, it will be larger.

It is set back enough from the road?

Same size sign and width, and electrical with a sign.

Action Taken:

Upon a motion made by Mr. McCusker and seconded by Mr. Pfaff to approve the Limited EIDR. All Board members were in favor 5-0

Application approved.

Upon a motion made by Mr. McCusker and seconded by Mr. Gorman to close the public hearing.

All Board members were in favor 5-0.

**University Station Pulte Homes of New England, Request for Temporary Use for Sales Trailer not located on same lot and signage**

Mr. Pfaff recused himself from this application hearing.

Applicant:

Mark Mastroianni, Pulte Building

The Applicant asked for a request of an approval of a Temporary Use for a sales trailer, a 2 year approval. He apologized that the trailer is partially up, he was unaware that he needed approval because it is technically not on Pulte's Property. It was properly permitted and he received a building permit from the Town and got permission from the owner of the property.

The applicant understands that parking lot must be paved and stripped and a catch basin adjacent to the trailer will be added. He will support all of these, and an updated plan of the treatment, they will do all that has been asked. A plan has been submitted to BETA. Request to use it up to 2 years so they can sell all of the 100 condos, the lot is small and there is no extra room on their property to have a trailer.

Phil Paradis from BETA is in agreement.

Board and Staff Comments:

Will the trailer impact the property from being developed?

You will need to come back if you move the trailer to another location.

Applicant—time and effort has gone into the trailer because it is the face of their company, it is safe and near the entrance. On schedule with the building.

Paul Cincotta, from New England Development.

Pulte is required to move the trailer if is needed.

Pulte and New England Development have an agreement.

Public Comments:

K. Foscaldo, 35 Norfolk Avenue

Mr. Foscaldo wanted to know if the temporary trailer will it be taxed and assessed?

-Probably not.

Foscaldo: Why?

-It is owned land.

Foscaldo: It is being sold as a nice trailer.

-It will be up to the assessor.

Action Taken:

Upon a motion by Mr. McCusker and seconded by Mr. Gorman to approve the temporary trailer and signage package starting today 8/7 for Pulte at the corner of University Ave and Bridges Driveway for the period of 1 year and if it is still needed for one year subject to the conditions:

1. The parking area shall be paved;
2. Stormwater improvements as outlined in 8/3 memo from Phil Paradis (loam & seed in areas, LID measures, catch basin protection);
3. The parking spaces shall be painted

The Board voted 4-0 1 abstention (Mr. Pfaff).

**Morgan Farm Estates OSRD-EIDR\* Definitive Subdivision Minor Modification** – Request to modify previously approved retaining wall and grading changes for earth movement lot 10 on Morgan Farm Road

2018 Proposal: The retaining wall and grading is different for lot 10 than what was approved. The grading of the lot and the retaining wall are the changes.

Applicant: Minor modification

Louis Petrozzi, Wall Street Development Corp.

Mr. Petrozzi stated he was in attendance for a minor modification, the wall is constructed and he got a building permit. Height of the wall is not 10 feet and will add a 4 foot fence along the top of the wall. It is in the original plan that was approved.

Peer Review Consultant Comments:

Phil Paradis, BETA, said it was reviewed at the site by a co-worker Chris DePino he began reviewing, he was kicked off the site, and did not finish his evaluation, but he did not see anything wrong with it. BETA does not see anything wrong with the plan, always go out to the sit and he was acting of the Planning Board behalf, and was thrown off the site. The building Inspector believes that they need a permit.

Staff and Board Comments:

A permit was never issued?

Original wall was 6 feet.

The elevation is higher due to the ledge, was not sure about the building permit because it was a 6 foot wall, no building permit required. Already in midstream of the construction, so they moved forward.

No mention of walls on the original application.

It was filed as a OSRD.

Moving forward: Get a building permit,

-Disagreement, should there have been a building permit

At a minimum we need to inspect the property.

Is this a minor modification?

The applicant still needs to deal with the Building Department

The applicant will withdraw the garage part of the application.

Action Taken:

We need Town and BETA to look at the property of the applicant

Document of Conservation

Approved on May 9th by the Conservation Commission

Do we think it is a minor modification?

The Board is not ready to make a decision.

Make a motion to continue this Mr. McCusker/Gorman

All in favor 5-0

**5 Eldridge Place** – Public Hearing for Earth Material Movement (EMM – EIDR)\* to import more than 200 cubic yards of earth in the rear of the property to level yard

Applicant: John Glossa, Glossa Engineering, project engineer from property owner.

Mr. Glossa explained that there were 600 yards of clean fill spread in the backyard, has not been filed with the Conservation Commission, but will be soon. The work has been done.

Mr. Glossa received a letter From BETA, and they recommend the slope be changed to a 3:1, and this can be taken care of. Abutters have been spoken to and are fine with some of the fill on their property.

Staff & Board Comments:

Stabilization, what is the current plan?

-Loam and seed

Is the property wooded? Where are the trees?

-Mostly oaks, a couple maples 5-6 trees in the fill. They will probably die.

Phil Paradis-BETA

Catch basin, it was there it was just extended, we can go out and look at it and make a decision.

Clean up the site, erosion control, maybe.

DPW, Phil and John to look at it.

Board & Staff Comments:

Is erosion on the pipe because it is so high?

No ruling from Commission until 9/12.

Abutters sign application or something official that they are okay with it.

Action Taken:

Upon a motion made by Mr. Pfaff and seconded by Mr. McCusker to continue the hearing at the 9/25 Planning Board Meeting.

All Board Members were in favor 5-0.

### **Speed Limit Review for University Ave. & Town-wide 25 mph law discussion**

In 2017, the Planning Board recommended to the Board of Selectmen consideration of the recently state adopted 25 mph town-wide speed limit law.

Public Safety Officer Paul Sicard:

30 MPH because it is thickly settled, some towns and cities have adopted the 25 mph town wide, which is a recent state law option for municipalities to individually implement. It creates confusion.

Concerns: It would be better if it was statewide, people drive at a speed that they feel comfortable with. What happens if you change the speed to 25? It raises the fines.

Sgt. Sicard is not against the 25 mph, but he believes it still needs some time before he would recommend implementation in Westwood.

Board & Staff Comments:

It is up to the driver to decide if the street is thickly settled?

-Yes

Your concern is confusion?

-Yes, confusion can lead to safety.

Need to do speed studies?

-Most were last done in 1956, some speed studies may result in higher speed limits, bumping it up. Need to ask the State to do these Speed Studies.

How many speeding tickets given out a month?

-Not quite sure, can find out.

List of Legal Speed limit Roadways?

Legal permitted Roadways: Summer Street, High Street, East Street, Washington Street, Blue Hill Drive, Canton Street, Everett, Gay, Nahatan Street, Oak Street, Pond Street, Hartford and Dover Road.

Public Comments:

N. Fabrizio, 32 Webster Street

When I get to Deerfield Ave, coming down Gay street, Is that a legal sign?

-Yes, a speed study was done in 1956.

F. Fusco, 20 Pine Lane

On Gay Street, why it is not 25 in Islington?

-Back in 1956, the speed was slower near High Street vs. the Washington Street end.

S. Bothelo, 2 Summer Street

Signs don't always matter, the cars don't go 30 mph on High Street.

-Strict enforcement is the best deterrent.

What about written warnings?

-About 75% are written warnings.

Officer Sicard continued could do 35 mph at University Avenue.

Will do a speed study, but there is active construction and the state does not like us to do a speed study during construction. Ideally we should wait until all construction is done. Waiting could be a long time. Officer Sicard has no problem doing it now.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. Pfaff to recommend a speed limit study for University Avenue. The Board voted 4-1 (McCusker voting against).

### **Town-wide Crosswalk Evaluation Update**

Public Works Director, Todd Korchin

Public Works has engaged BETA Group to conduct a Town-wide evaluation of crosswalks. They are looking at all 115 crosswalks in Town and are evaluating each in regards to signage, pavement markings, sight distance, and ADA compliance and will then make recommendations and create a prioritized for improvements and changes, and will do a thorough report.

Board Comments:

Explain tiered?

-Based on Sense of urgency, financially and safety.

Timeline?

-Draft report in the early fall, and will present to Board of Selectmen first and then to the Planning Board.

The study will be advanced and thorough

Public Comments:

N. Fabrizio, 32 Webster Street

There will be elimination of crosswalks? Crosswalk at Dean & Washington, a neighbor wrote up a petition. The DPW is against putting a sidewalk there. Eliminate crosswalks very carefully. A petition will be presented.

Sicard recommended that crosswalks will only be taken out due to safety, if it is dangerous. Paint alone does not make crosswalks safe. The study is based on pedestrian safety.

F. Fusco, 20 Pine Lane

Crosswalks, coming in from Norwood, lots of crosswalks, not sure of the wording, people are hopping off the curb and going.

-Officer Sicard, yield to pedestrian signs in the sidewalk, got them from state funding, once hit once or twice, they look awful. They can have some effectiveness. In Mass, only yield to someone in the crosswalk. Pedestrian should wait until it's safe to cross.

**Review of proposed Gay Street Sidewalk Design from TEC & Public Works,**

Mike Meyers, TEC & Todd Korchin, The Public Works Director

At a 30% benchmark with the design plans. The largest concern from residents, are the stone walls. There are challenges, it depicts the property lines. About 40 properties are on the north side. Came up with 9 properties and want to contact the residents. So far have connected with one, willing to discuss 4 said no, and are waiting to hear from 4. 7500 feet from High to Pine Lane.

Board Comments:

Is it worth it?

-Yes

At what point to we give up the idea?

-Try to make the connection with the abutters and then take a look and see if it makes sense.

Start at Deerfield and head to Fox Hill.

-Lots of wetlands, so it will be along the road.

I want the sidewalk to happen

Want to keep the experience of the street

How do you approach the home owners

-Don't want to aggravate the homeowners, 4 solid no's, but the homeowners were for the project, but not behind the rock wall on their property.

Will landscaping be involved in the project?

-Yes, and color the sidewalks too, landscape features, add buffers, it may end up looking better.

Cost ideas?

-Early to tell, \$3 Million range

When do you decide, concrete/asphalt.

-Todd likes concrete

How do you get over Purgatory Brook?

-Will try to tweak the road as much as possible.

What will it end up looking like? It is tough to understand on paper.

-At this point it is a bit of a slalom course, there will be consistency.

Continue the process of contacting the abutters, going behind the wall is a preference, but not a deal breaker.

Does not support just taking property from residents

Public comments:

S. Bothelo, 2 Summer Street

He spoke on behalf of the Bike Pedestrian Safety Committee that they are fully in favor of the sidewalk and did provide a recommendation to the board about wherever possible we would prefer to see most of it behind the wall.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. Pfaff described by Mr. Atkins:

1. All agree that the Northbound is the side that we all support
2. The sidewalk should be contiguous which will make it safer
3. Consider crossings from side streets
4. Continue to follow up with abutters

All were in favor 5-0.

### **Review and Discussion of Any Zoning Amendments for possible fall Town Meeting**

#### 1. Fall 2017 3 Articles

Planning Board Articles

Employee cafeterias accessory use in the highway business district

Redefined some Medical uses terms

Housekeeping Amendments, adjustments of numbers and typos, etc.

What was the Defect?

2. Provide a list, a description of the Articles that we might propose if these is a Fall Town Meeting this year.

3. Residents have submitted some ideas/comments and see if the Planning Board will support them.

What was the defect?

On October 3rd, we opened a public hearing on the zoning amendments, the Board continued the hearing on Oct 17, which was a joint meeting with the Finance and Warrant Commission, at that hearing the Board failed to make a motion to continue the public hearing to a definite time and place which would have been the next Planning Board meeting on October 24th, which was cancelled. The next meeting was Nov 7th and the Board closed the public hearing for the Town meeting articles. The Town Meeting was on November 13th and approved the articles,



but the Board did not provide adequate notice of where and when the next public meeting was going to be continued and it was therefore a procedural defect. The Attorney General reviewed the timeline and put the approval of the articles on hold, Westwood was required to publish a notice of the defect so any resident could object, which someone did object and the Attorney General was required to deny approval of the articles.

No public comments

Board Comments:

We need to re-open the public hearing and do it right and should submit for the next town meeting. The board members were in favor of bringing discussing.

Action Taken:

Upon a motion made by Mr. Pfaff and seconded by Mr. Gorman to resubmit the 3 articles, 10-11-12, as they were presented for the November 2017 Town Meeting to be included in this Planning Boards next proposal of articles for the next Town Meeting, either Fall 2018 or Spring 2019. All Board Members were in favor 5-0.

Second: Other Articles Discussion & Consideration by Planning Board:

Article 1: The direction of fences (the finished side)-continue the discussion

Article 2: Accessory Apartments-limit to family members only

Article 3: Lots in Two Districts-need to change the wording

Article 4: 4 or more car garage-REMOVE FROM LIST

Article 5: Currently 6 Feet, will change to 7 feet

Article 6: Clean up language in Section 4.5

Article 7: Changes to the Project Article Footnote on FMUOD Section 9.5.9

Public Comments:

F. Fusco, 20 Pine Lane

Possible reducing the max building height to 29 feet from 36 feet to restrict the height FMUOD 6 & 7 (High and Washington Streets) . Also, decrease the percentage of residential units from 50% of total gross project area in FMUOD 6 & 7 to 33% as in stated in Bylaw 9.5.13 for FMUOD 1 (University Avenue) are. She asked why FMUOD 6 & 7 couldn't be this way. Another suggested amendment is to the setbacks; to limit to 20 feet in the front, back and sides.

FMUOD 7, why only in a certain section on High Street?

FMUOD 6, why so much of Washington Street?

A board member responded that the intent of FMUOD is to attract businesses and redevelopment.

Action Taken:

The Chairman polled the Board about the resident zoning changes submitted.

Mr. McCusker and Mr. Pfaff are against

Mr. Gorman and Ms. Conant are in support.

Mr. Atkins is not in support of them.

A majority of Board members are in not in favor of sponsoring or support the articles from Ms. Fusco.

### **Comprehensive Plan (Master Plan) Update & Work Session**

Mr. Atkins asked Board Members to choose their sections for the plan where each board member will serve as a liaison:

Land Use: Pfaff

Town Centers: Ms. Conant

Housing: McCusker

Natural and Cultural Resources: McCusker

Community Facilities: Conant

Economic Development: Pfaff

Open Space and Recreation: Gorman

Transportation: Gorman

Implementation: Atkins

The Board will discuss the Comprehensive Plan more at the September 5th meeting.

### **Approval Not Required (ANR) Plan for Reservoir Road (Map 35, Lots 95, 96 & 97)**

Three undeveloped lots to be combined into one lot.

It was approved by the Conservation Commission, the house is far from any abutters. This plan will not create more water or more lots.

Public Comments: No public comments

Upon a motion made by Mr. Pfaff and seconded by Mr. McCusker to approve the ANR. All were in favor 5-0

### **Other Business:**

Public Comments:

F. Fusco, 20 Pine Lane

Westwood Lodge, just curious what is going on?

She has heard 20 homes.

In regards to Article 11, with medical terminology, substance abuse, mental health. What areas are being targeted?

A little concerning.

Board Comments:

The Board is unaware of what is going on at Westwood Lodge.

N. Fabrizio , 32 Webster Street

Was the vote at Town Meeting Legal?

What is the language prior to the vote?

The Town is deleting things.

Article 10, 11 and 12 was rejected by the Attorney General, if you go online you cannot get the wording before Town Meeting. It is a problem.

What Ms. Fusco is saying about Article 11, Ms. Fabrizio is not sure what the wording was.

Board Comments:

We will check into the history.

E. Rawlings, Greenhill Road, Asked what is the zoning of the Westwood Lodge?

Is there a grandfathered use?

-The board responded that this is a question for Ms. McCabe or Ms. Loughnane

**Approval of Minutes:** 7/10/18 minutes, continued review until the 9/5 meeting

**Adjournment:**

Upon a motion by Mr. McCusker and seconded by Mr. Pfaff, the Board voted 5-0 in favor to adjourn the meeting at approximately 10:50 p.m.

**List of Documents:**

<p>420 Providence Highway - Tesla          Public Hearing Notice, Westwood Planning Board, 5/17/2018, 1 page          Application Package &amp; Photos, Westwood Planning Board Application, 5/8/18, 23 pages          Proposed Plan Set, From: Callisonrtkl, 5/8/18, 11 pages          Building Department Staff Comments, From: Mike Perkins, To: Karyn Flynn, Abigail McCabe &amp; Joe Doyle, 6/12/18 Planning Board Meeting, 2 pages          Conservation Agent Comments, From: Karon Catrone, To: Karyn Flynn &amp; Abigail McCabe, 420 Providence Highway, 5/22/2018, 1 page          Police Dept. comments, From: Paul Sicard, To: Karyn Flynn &amp; Abigail McCabe, 6/12/18 Planning Board Meeting-420 Providence Highway, 5/22/2018, 2 pages          Postponement Request from Applicant, 6/5/2018, 1 page          Renderings, 2 pages          Applicant Request to Withdraw, From: Matt Ramos, To: Abigail McCabe, 420 Providence Highway-Planning Board August 7 Prep, 7/23/2018, 11 pages</p>	<p><b>PDF</b></p>
<p>248-252 Nahatan Street - First Parish of Westwood, United Church          Public Hearing Notice, Planning Board, 7/12/2018, 1 page          Application, Westwood Planning Board Application, 7/3/2018, 2 pages          Waiver Request, From: The First Parish of Westwood, United Church, Christopher Dodge, Pastor, To; David Atkins, Waiver Request, 7/5/2018, 1 page          Site Plan, From: Joyce Consulting Group, 7/31/2017, 1 page          First Parish of Westwood - Proposed Sign, 1 page</p>	<p><b>PDF</b></p>

<p>Existing Sign (from Nahatan), 1 page Existing Sign (from Clapboardtree) 1 page</p>	
<p>University Station Pulte Homes Use Request Accessory Use Request, From: Pulte Homes, Mark Mastroianni, To: Abigail McCabe, Temporary Sales Trailer, 7/24/2018, 5 pages Plan Sales Trailer &amp; Signage for Westwood Place, Bohler Engineering, 3/29/2018, 1 page Special Permit Decision, Pulte Homes, Planning Board, 3/22/2018, 12 pages Project Development Review Decision, Pulte Homes, Planning Board, 3/22/2018, 12 pages Approved Plans Westwood Place at University Station, Bohler Engineering, 29 pages BETA/Engineering Review Comments, From: Chris Luppino &amp; Philip Paradis, To: Abigail McCabe, Request for Determination of Compatibility of a Temporary Sales Trailer, 8/3/2018, 3 pages</p>	<p><b>PDF</b></p>
<p>Morgan Farm Estates Subdivision - Minor Modification Minor Modification Request, From: Wall Street Development Corp., 7/30/2018, 2 pages Plans Lot 10 Modification, CM Kirby Engineering, 6 pages Approved Plans Morgan Farm Estates, February 2013, GLM Engineering, 15 pages Original February 2012 Decision Approval - OSRD - EIDR Subdivision, Planning Board, 3/16/2012, 7 pages October 2012 OSRD - EIDR Modification Decision, Planning Board, 1/9/2013, 7 pages February 2013, OSRD - EIDR Approval Minor Modification, Planning Board, 4/9/2013, 5 pages February 2013 OSRD Subdivision Approval Decision, Planning Board, 4/9/2013, 6 pages</p>	<p><b>PDF</b></p>
<p>5 Eldridge Place Public Hearing Notice, Planning Board, 7/12/2018, 1 page Application and Narrative, From: Glossa Engineering, To: Westwood Planning Board, 5 Eldridge Place, 7/11/2018, 4 pages Site Plan, Glossa Engineering, 7/9/2018, 1 page Soil Test, 6/27/2018, 5 pages Conservation Agent Photos, 5 pages Eldridge Place Aerial View 2017, 1 page Engineering/BETA Review Comments, From: BETA, To: Todd Korchin &amp; Abigail McCabe, 5 Eldridge Place Earth Material Moving Permit, 8/3/2018, 6 pages</p>	<p><b>PDF</b></p>
<p>Speed Limit Discussion Item MAPC Speed Limit Flyer, 2 pages</p>	<p><b>PDF</b></p>
<p>Preliminary Zoning Amendment Discussion Fin Com 2018-2019 Meeting Schedule, 1 page Zoning Appeal N. Fabrizio, To: Margaret J. Hurley, From N. Fabrizio, 7/12/2018, 4 pages Zoning Public Comment F. Fusco, From: F. Fusco, To: Abigail McCabe, Nora Loughnane, David Atkins and Brian Gorman, Input for Zoning Changes, 7/10/2018, 2 pages Planning Board Report to Town Meeting, November 2017, Planning Board, 11/8/2017, 2 pages 2017 Fall Town Meeting Warrant Book (Articles 10, 11 &amp; 12), 11/13/2017, 25 pages</p>	<p><b>PDF</b></p>

<p>Attorney General Disapproval Procedural Defect, From: Maura Healey, Attorney General, To: Dorothy Powers, Westwood Fall Annual Town Meeting 11/13/2017, 7/19/2018, 3 pages</p>	
<p>Reservoir Road ANR  Application, From: Walsh Bros, 7/30/2018, 2 pages  ANR Plan, GLM Engineering Consultants, Inc., 7/24/2018, 1 page  Aerial Lot View, 1 page</p>	<p><b>PDF</b></p>