

**Westwood Planning Board Meeting**  
**Wednesday, September 5, 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 7:03 pm. The meeting was video recorded by Westwood Media Center.

**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.

**200 University Avenue, Public Hearing for an EIDR\* for exterior renovations**

Ms. McCabe announced that the Applicant for 200 University Avenue has requested the hearing be postponed to the next meeting (9/25/2018) so they can submit revised plans incorporating staff's recommended parking stormwater improvements.

**Action Taken:**

Upon a motion made by Mr. Pfaff and seconded by Mr. McCusker, the Board voted 5-0 to postpone the public hearing September 25, 2018 at 50 Carby Street at 7 pm. The hearing was continued without any discussion.

**Morgan Farm Estates OSRD-EIDR\* Definitive Subdivision Minor Modification** – Request to modify previously approved retaining wall, and grading changes for earth movement at lot 10 on Morgan Farm Road, Continued from 8/7 meeting.

**Applicant:**

Louis Petrozzi, Wall Street Development Corp. explained that the lot has had changes from the originally approved design, in this particular lot there was a significant amount of ledge. The original plan was for a 6 foot wall, but a 10 foot wall is now needed.

**Board & Staff Comments:**

Has it been looked at by a structural engineer?

-Yes, designed and inspected by a structural engineer

-Mr. Petruzzello responded that he as the developer and Hale Reservation are the abutters-  
Open Space transactions

Originally did propose a fence on the wall?

-No, it was not considered.

Additional garage still being considered?

-Resident wanted an additional garage, and added to the conservation commission, but it is no longer in play.

Peer Review Consultant Comments:

Phil Paradis, of BETA Group and acting on behalf of Town Engineer, went to check out the wall since the last meeting, noting that it was approved by the Conservation Commission. Majority of the wall is done and appears adequate. An updated review memo was provided to the Board.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. Pfaff, to consider the proposal as a minor modification, all Planning Board members were in favor 5-0.

Action Taken:

Upon a motion made by Mr. McCusker and seconded by Mr. Pfaff, there was a motion to approve with the following 3 conditions. All Planning Board members were in favor 5-0.

1. Upon completion, the Applicant shall provide certification from a structural engineer that the wall has been installed in accordance with final design plans and provide an as-built plan plotting resource area boundaries and buffers on the plan.
2. Provide documentation to the Town Planner that Conservation Commission has been notified of these changes.
3. The fence has to remain

**200 Nahatan Street, Westwood High School** – Public Hearing for a Limited EIDR\* Public Hearing. Request to install lights at high school tennis courts.

Applicant:

Nicole Banks, Recreation Director. The Recreation Department has been working together with the High School to increase tennis play. There are no lit tennis courts currently in town.

Mike Berry of Musco Lighting was also present as the lighting consultant. Mr. Barry explained that the lights will meet High School tennis competitive play and will have a low impact to the surrounding area. There will be 24 fixtures in total, 4 poles per 3 court, 6 in total, the can be turned on if players are there, the lights are user-activated. The poles are 50 foot poles will light the courts but not allow spillage onto the abutting residential properties, and lights will be shut off by 10 pm.

Staff and Board Comments:

The Board asked questions related to the height of the lights to the highest point, how the lights will be turned on and off, if there were LED, and how stable they are.

Button to press lights, how long?

-45 minutes, there will be a warning before the lights turn off.

Will lights have limitations?

-Yes, the Town's recreation department can control them.

If we leave, can we turn them off?

-No

Controlling System:

-If controlled at sunset, 10 pm curfew

60 or 50 foot poles?

-50 foot poles allows for the best uniform lighting.

Cross bar with 3 lighting fixtures

Solar power?

-No, Need a large battery source.

LED?

-Yes

Hood, adjustable or fixed?

-Visor is adjustable, but it is tightened up

If knocked around?

-MUSCO owns maintenance for 25 years.

MUSCO also did the High School field

Lights will turn right on and to have to warm up.

Is there HS tennis standard?

-Competitive play foot candle range 30 v 50

How many abutters directly through the woods?

-5 house lots

Notices were sent to the abutters?

-Yes.

Parking lot lights, how tall are they?

25-30 feet

How late do the High School parking lot lights stay on?

-Set to turn on at dusk, and the lot is lit all night long for the safety of the property.

Lights 2-5 foot candle, this will be 50 foot candle

All lights are push button controlled.

Phil Paradis, of BETA Group as the Town's on-call Town Engineer, explained that he reviewed the levels of the lighting and believes the lighting will be contained within the footprint of the courts. He is unsure of the deciduous trees and evergreens but with the lights directed towards the courts he does not believe there will be impact to the closest neighbor. He also recommends protecting the stormwater swale during construction.

Public Comments:

T. Resha, 141 Thatcher Street, asked how tall were the lights?

Ms. Banks responded that the lights are 50 ft. from the ground to the very top.

Mr. Resha believes there was an agreement for the lights to be 40 ft. poles vs. 50 ft. poles. He really did want 30 feet, but believes there was agreement at 40, now its 50 feet, he really wants 30 feet. He believes 40 feet is more than adequate and sufficient.

Mr. McCusker read minutes from 5/15/17, re: The Tennis Court Light at WHS

One neighbor is not happy, the neighbor agreed to 40 ft. poles and specs were reviewed to meet quality of play.

Ms. Banks responded that the 50 feet is the minimum that we can aim the lights on the court to achieve the competitive play light levels across all three courts. The courts are heavily used. Staff and the Recreation Commission looked into the 40 ft. light poles but found the 50 ft. to be better light quality, and better directional downcast, uniformity in light levels, and less of an impact to the abutter than the 40 ft.

Mr. Barry explained that the 50 ft. lights provide less spillage, less glare and overall a lower impact to neighbor because the way they can be angled to light the tennis courts.

Mr. Resha asked the Board to visit his property and the tennis court site at night to see the lighting.

Board Comments:

You will get more spillage with 40 feet vs 50 feet there will be less spillage.

Not out of line to ask for a site visit.

Is the data available for the 40 foot poles?

-When we looked a Recreational Level

Will there be tournaments at night?

-Matches

Ms. Banks responded that the 40 ft. provides the recreational play levels but not the class 3 competitive play for the high school matches.

Staff Comments:

The Board members agreed to continue the hearing to allow time for a site visit. Ms. McCabe will help coordinate a site visit. There will be no deliberation among board members during the site visit.

Mike Jaillet, Town Administrator, added that lighting the high school tennis courts has been discussed and considered for many years. It has come up again recently after the loss of the tennis court in Islington center. Over the last couple of years the considered different lighting options including 30, 40, and 50 ft. lights. The Town has tried to work with Mr. Resha as the closest neighbor and has reviewed all the options and found that the 50 feet is the right choice. There is no light spillage onto his property. 50 feet has less spillage than 40 foot poles.

Action Taken:

Upon a motion made by Mr. McCusker and seconded by Mr. Pfaff, the Board voted 3-2 (Gorman and Conant voted against) to continue to September 25, 2018 at 7pm at 50 Carby Street.

**736 High Street, Starbucks Property** – Discussion item to review current parking layout and suggestions for improvement

Ms. McCabe explained that this property is in violation of Zoning Bylaw Section 7.3 for altering the parking lot in 2004 without first receiving EIDR approval from the Planning Board. A review of the file found that the current parking layout was never approved by the Planning Board as the parking expansion was done in 2004 without approval. In early 2005, the Applicant filed with the Planning Board, but withdrew the Application and requested needing more time to come back to the Planning Board with a more comprehensive plan. Thirteen years later and the owner/applicant never returned. This was discovered after a recent inquiry about the traffic park up due to customers illegally parking at the front of the property.

**Applicant:**

Michael Terry, Attorney for the property, explained that in 1996 property became Starbucks and received an EIDR site plan review approval. Then in 2004 made some changes and renovation, retaining wall added, site plan reviewed, but it was never completed. Complaints now are related parking and traffic flow. Question, what do they do? Preferred plan is to redevelop the whole site.

**Staff & Board Comments:**

Is there a second business?

-Yes, real estate office

How many spots does the real estate business use?

-2-3 spots

Currently one story, wants to make a 2 story building.

Preferred option is to change the property?

-Yes

FMUOD would require a waiver

A drive thru may not work because as shown pedestrian would have to cross a drive-thru lane

**Public Comments:**

K. Foscaldo, 35 Norfolk Avenue, The traffic backs out onto 109, cars want to park up front illegally. This has been in violation for years and it is significant, time to address it, 15 years is a long time. I don't want to see the business shut down. Everyone should park out back, do not leave it as is since this violation has been since 2005. They should file a new parking plan. 15 years is a long time. It should be addressed and he does not want to see the business close.

The Planning Board discussed setting a date for submission of an application to address the parking and violation. There was a recommendation to file an EIDR application in the next 30 days. An application to close out the EIDR that was started in 2005 can be submitted within the next month. If the applicant wants to consider the larger scale changes, would take more time and a full application, 30 days would be tough.

Applicant wants to work with the town to fix the problem.

Action Taken:

The Board discussed filing under FMUOD which allows for flexibility on the setbacks if proposing a full redevelopment plan at a future date. However, the consensus of the Board is for the Applicant/Owner to do something now to enforce the parking and to bring the property into zoning compliance. Do something creative and compliant within the next 30 days. The Board recommended installing something to make it impossible for vehicles to park illegally. Mr. Terry will meet with his client and come up with something. The Applicant was direct to file an EIDR application to correct the outstanding zoning violation and to file within the next month.

**Review Zoning Amendments for possible fall Town Meeting**

Next week, September 11, the Selectmen will decide on a Fall Town Meeting, Spring Town Meeting is a definite.

Clarify language related to Special Permit for 4 or more car garages and car storage, change the language and continue later in the fall or spring.

We are informing the selectmen 1-2 sentence placeholders for the warrant.

Staff Comments:

Ms. McCabe stated that any zoning amendments, the Planning Board always has to hold a public meeting, say your reasoning. Last meeting you voted and were mixed in your vote on some of the articles suggested. Ms. McCabe drafted a memo listing the articles all the board members agreed on, does the Board have any comments to add?

Board Comments:

Why do we have this memo?

-Not all Board members are in agreement

Add back on 2 articles to have placeholders if the Selectmen will have a Fall Town Meetings.

Mr. McCusker wants to have a vote

3 ideas will be worked out with Abby

-Fence, direction of finished side

-Accessory apartments, limiting to family members

-Ms. McCabe will revise memo to include all ten (10) articles suggested by the Board.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, to approve the amended drafted memo to the Board of Selectmen Re: Request for Consideration of Zoning Bylaws Warrant Articles for Fall Town Meeting. All Board members approved 5-0.

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

Review of Comprehensive Plan Process and Options

Review of Steering Committee Duties

Respond to any submitted questions or comments

Ms. McCabe talked about a long range policy document, it will be approved by Selectmen and approved at Town Meeting. It will include resident input.

In 2000, we hired a consultant and had a steering committee. Currently we do not have a budget for a consultant to do the full lift with writing and updating the document. We could ask for money for a consultant at Town Meeting, Ms. McCabe would have to send out a bid to now the exact amount which would be at spring Town Meeting at the soonest to have time to get the exact amount.

#### Staff and Board Comments:

Hiring a consultant is a huge commitment. We are doing a rewrite, in 2000 we started from scratch, this time it is an update and we have backup data.

Nora Loughnane, Community & Economic Development Director, explained that back in 2000 she was on the steering committee as a resident (was not working for the Town at this time). There were about 35 people on the steering committee, a consultant, and sub-committees that met about once a month for two years, heavy involvement, but starting with nothing. We have a solid foundation to start with now. We need to update the data.

Either way you need a steering committee and right now the recommendation is 9-18 people to have one to two people working on each section.

What does the consultant bring to bear?

Each element is 2-3 pages long, with a new section on sustainability and resilience

This will be the hardest job because this section will start from scratch. Strongly support staff supported no consultant to write the full report and update the data, but we can ask for a consultant to help with the public facilitation portion. The Planning Board responsible for the final say.

1st step is the staff will do all the updates, a red lined version of 2000 version.

Comprehensive Plan updates will be on the Town Website and Social Media which has greatly improved since 2000.

We can start looking for Steering Board committee members

-Westwood Day Booth, 9/29 can be the official kick off.

All Board members are on board.

Response to the submitted questions:

-Steering committee will put together the questions for the survey

#### **Planning Board Administrative Items**

Review Board Best Practices

Ms. McCabe is working on a draft guide for Board Members of techniques to help run an effective meeting.

-Vice Chair can make the motions

-We will be going all electronic

-To recuse yourself, leave the table, sit in the audience, conflict of interest

-Abstain can participate, just choose not to vote

**Review Draft Social Media Policy**

The intent of the policy is to protect the town, employees, and board members while also being able to communicate and distribute information. Because board members are considered as employees and the Planning Board is a regulatory board it's important to emphasize caution.

Planning Board Associate Member Positions Now Open – Apply by September 29, on the Town Website and the Town's Facebook page.

**Other Business:**

-Review of upcoming ZBA applications: A special permit request for a business sign permit for 615 High Street in a residential zone, the old Marcy and Me. And a special permit of variance request to construct a portico on front of the house at 51 Hillcrest Place. There were no comments on staff's draft memo.

**Approval of Minutes:** none reviewed, continue to the next meeting.

**Adjournment:**

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

**List of Documents:**

Morgan Farm Estates Subdivision 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 Updated BETA Review Morgan Farm 8-13-2018, From: BETA, Phil Paradis, To: Todd Korchin & Abigail McCabe, Development/Environmental Impact Design Review if Powissett Estates and Morgan Farm Estates Update, 8/13/2018, 5 pages	<b>PDF</b>
200 Nahatan Street - WHS Tennis Courts Public Hearing Notes, Town of Westwood, 200 Nahatan Street, 8/10/2018, 1 page Application for Tennis Court Lighting, Town of Westwood, 3 pages Light Specifications - Product Data Sheet, From Musco Lighting, 2 pages Project Plans and Illumination Testing, From: Musco Lighting, Westwood HS Tennis, 1/31/2017, 8 pages Impact Statement Narrative, High School Tennis Courts Lights, 8/22/2018, 2 pages Existing Site Plan for Tennis Courts, From: Kaestle Boos Associates, Inc., 6/1/2001, 2 pages Ex. Photo - Back Center Proposed Location, 1 page	<b>PDF</b>



<p>Ex. Photo - Back Left Proposed Location, 1 page  Ex. Photo - Back Right Proposed Location, 1 page  Ex. Photo - Courts Back View, 1 page  Ex. Photo - Courts Front View, 1 page  Ex. Photo - Front Center View, 1 page  Ex. Photo - Front Left Proposed Location, 1 page  Ex. Photo - Front Right View, 1 page  Revised Lighting Design - 8/31/2018, From: Musco Lighting, Westwood HS Tennis, 8 pages  Revised Light 1150 CutSheet 8/29/2018, From: Musco Lighting, 2 pages  Revised Light 1150 Photo 8/29/2018, From: Musco Lighting, 1 page  Engineering Review Comments, From: BETA, To: Abigail McCabe, Karyn Flynn &amp; Todd Korchin, Environmental Impact and Design Review - Tennis Court Lighting @ 200 Nahatan Street, 8/30/2018, 1 page  50 ft. Light Pole Viewshed Video  Light Pole Configuration, Musco Lighting, 8/25/2016, 1 page  Multipurpose Field 80-90 ft. Lights High School, 1 page  North Attleboro Facility Same Lights Sample, 1 page</p>	
<p>200 University Ave - Security Lock  Public Hearing Notice, Town of Westwood, 200 University Avenue, 8/10/2018, 1 page  Application and Narrative - 200 University Avenue, Plot Plan - 200 University Avenue, Westwood Planning Board, 8/1/2018, 6 pages  Plot Plan - 200 University Avenue, Hancock Associates, 8/1/2018, 1 page  Parking Plan - 200 University Avenue, Hancock Associates, 8/1/2018, 1 page  Proposed Plans - 200 University Avenue, Fine Associates, 5/30/2018, 5 pages  Engineering Review Comments, From: BETA, To: Abigail McCabe, Karyn Flynn &amp; Todd Korchin, Environmental Impact and Design Review (EIDR) - 200 University Avenue, 8/27/2018, 3 pages</p>	<b>PDF</b>
<p>736 High Street Starbucks  1996 Planning Board Approval, Town of Westwood, 3/16/1996, 4 pages  2004 Proposed &amp; Current Site Plan, United Consultants Inc., 3/29/2004, 1 page,  2005 Withdraw of Site Plan Review Application, Planning Board, 6/24/2005, 1 page  **2005 Meeting Minutes - 6/14/2005, Planning Board  Aerial View Starbucks Property, 1 page</p>	<b>PDF</b>
<p>Comprehensive Plan Update &amp; Work Session  Planning Board Memo to Board of Selectmen, From: Abby McCabe &amp; Planning Board, To: Mike Jaillet &amp; Board of Selectmen, Recommendations for the Comprehensive Plan Update, 7/17/2018, 1 page  Comp Plan Process Work Plan, 7/16/2018, 2 pages  Key Questions to Plan, 8/31/2018, 4 pages</p>	<b>PDF</b>