

Westwood Planning Board Meeting Agenda
Tuesday, November 27, 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 7:01pm. Chair Atkins led the Pledge of Allegiance and explained the Board's meeting procedures that would be followed for the meeting. He informed everyone that the meeting is filed 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 and Jessica Cole who recorded the meeting minutes.

**200 University Avenue EIDR* Public Hearing – Hearing continued from 9/5 and 9/25.
Request for an EIDR* for exterior façade renovations and site improvements.**

Ms. McCabe, Town Planner, informed the Board that the Applicant is not ready as they are still preparing revised plans for the Board's review and expect it to be submitted in early December. Therefore, they request continuing the hearing to Tuesday, Jan 8, 2019 meeting.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. Pfaff, the Planning Board voted 5-0 to continue the Public Hearing for 200 University Avenue the EIDR application to Tuesday, January 8, 2019, Champagne Meeting Room, 50 Carby Street at 7 pm.

736 High Street, Stagecoach Cross, L.P. EIDR* Public Hearing – Hearing continued from 10/23 for parking, landscape, and stormwater improvements.

Applicant: Attorney Michael Terry was present to represent the Applicant, Stagecoach Cross. Attorney Terry explained that since the last hearing they installed the timber curb, shrubs, a bike rack, and added the additional parking signs. The plan has been revised to add rooftop drainage and will be directed to a new underground recharge. They submitted a revised plan dated November 26, 2018 in response to the comments received by Phil Paradis to include the outlet and inspection ports. Attorney Terry also noted that he was notified that the bike rack that was installed is not an acceptable style and will replace it with one of the approved rack types in accordance with the Planning Board's Bike Parking Design Standards.

Staff Comments:

Ms. McCabe, reported that Phil Paradis of BETA acting on behalf of the Town Engineer, provided a memo and applicant did send a new plan in response revised November 26, 2018 to eliminate the direct connection to the catch basin and to instead provide an outlet on site, to add observation/inspection ports for the chamber, and have the owner perform regular maintenance.

Ms. McCabe summarized the recommendations from the Pedestrian & Bike Safety Committee for additional pavement markings to direct vehicles out back to more parking and through the site. Additionally, the Public Safety Officer recommended an arrow and the word "exit" at the front, to revise the way the front two parallel spaces are painted, and suggested adding the "take out parking" signage for the front two parallel spaces. She also recommended the bike rack be replaced by one of the approved styles such as the circular or inverted "u" type racks.

Board Discussion, Comments and Questions:

The Board agreed the infiltration of the roof runoff was a major improvement for storm water. A Board member asked if the Applicant has proposed any changes to address parking on the abutting property. The Applicant responded that they will continue to work with their neighbor, Dr. Zhaka, to see if this will improve the parking in his lot. The Board asked about the signage and the Applicant responded that parking direction signage has been added to the property.

Ms. McCabe reported that she prepared a draft list of conditions that she provided to the Board and Applicant as follows and read the following during the hearing. Attorney Terry asked if they could have more time to install the underground drainage system until the spring given that the ground is now frozen.

Conditions:

1. The parking lot shall be restriped as shown on the submitted plan (remove solid line on east side of front two parallel spaces with end and side markers only), paint directional arrow and the word "Exit" in the drive aisle, and repaint as necessary.
2. The timber curb shall be replaced as needed. If the timber curb is continuously damaged the owner shall install a bituminous curb
3. The Town Engineer/Department of Public Works shall be contacted at least 48 hours in advance for inspection during the installation of the subsurface infiltration system.
4. Replace the bicycle rack with the "Inverted U", "Post & Loop" or "Circular Type" rack style to match the acceptable bike rack types as outlined in the Planning Board Bicycle Parking Standards approved April 10, 2018.

Condition #5 added

5. The proposed subsurface drainage system shall be installed by May 1, 2019.

Chair Atkins opened the hearing for public comments and asked if there were any Public Comments: There were no comments from the public.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. McCusker, the Planning Board members voted 5-0 in favor to approve the EIDR and the site plan revised through November 26, 2018 submitted for 736 High Street, prepared by United Consultants Inc. with the conditions stated and discussed earlier.

Upon a motion by Mr. Gorman and seconded by Mr. McCusker, the Planning Board members voted 5-0 in favor to close the hearing.

90 Brook Road, Earth Material Movement (EMM) EIDR* Public Hearing – Request to import ~700 cubic yards of earth to the back yard.

Monique Allen, CEO & Creative Director of the Garden Continuum, was present on behalf of the property owner. Ms. Allen explained that the back yard is difficult backyard to do anything on; storm water runs through the property. She would like to remove asphalt from the driveway to level out the area and add a retaining wall, remove patio and replace with retaining walls, ran into an old sewer line, spoke with Richard Barry of Westwood's Sewer Department to add two manholes to run under the driveway. She will add a planting plan as well, pulling notice of intent to the Conservation Commission.

Board Discussion, Questions and Comments:

What is the total height on the Eastern line?

-Wall goes up to 6 feet behind the shed then drops.

With an additional 6 foot fence, not on the wall?

-Yes, it's all behind the shed

Applicant will need a special permit from the ZBA?

-No, fence is not on the wall

Is there a slope?

Lawn slope down into the lawn area

Filling 2.5 feet?

-Yes

Not filling anything really deep

-Have to fill to raise the driveway

Out of 700, how much to driveway?

-1/3 the rest will be dispersed

Is it all coming in?

-Yes, with 10 wheelers which is a small truck which would have more trips.

Staff Comments:

Phil Paradis, BETA Group as Acting Town Engineer, explained that most of his comments in the memo have been addressed as they received the set of plans without the design plans originally and have now received the material submitted after the initial filing. Mr. Paradis said his remaining concern is that the proposal changes the drainage patterns and he is concerned with drainage onto the abutting lot more than it is presently.

Ms. McCabe summarized the comments from other staff. The Building Commissioner noted that a retaining wall over four feet needs a building permit. If the wall and fence is over 6 ft. from the grade below a special permit from the ZBA is needed. The project also requires a Notice of Intent filing with the Conservation Commission.

Applicant explained that the fence is set back from the wall.

Chair Atkins opened the hearing up to public comment and there were none.

Ms. McCabe reported that she prepared a draft list of nine (9) standard conditions that she then read as part of the hearing.

Conditions:

Add during the hearing's discussion: A swale shall be added to collect and reduce storm water runoff onto the abutting property.

1. The existing pavement on Brook Street shall be protected from damage from loading and unloading of material and/or equipment related to the proposed construction.
2. There shall be a construction entrance to prevent excess tracking of material onto the public way.
3. The applicant shall clean the site daily to prevent excess fill or dust from impacting the road of abutting properties.
4. The applicant shall contact the Public Works Department at least 48 hours in advance to schedule an inspection during the installation of the recharge chamber.
5. Project related construction and earth material movement shall comply with the Town's General Bylaws Chapter 292, for Noise and Construction between 7 a.m. and 7 p.m. Monday through Saturday and 12 p.m. to 7 p.m. on Sundays.
6. All trucks carrying earth material to or from 90 Brook Street shall be required to access Oak Street.
7. The imported fill material shall not contain any hazardous or substandard material.
8. The applicant/owner is responsible for filing a Notice of Intent with the Conservation Commission and application for building permit for the retain wall and any other as needed. If the project, or any Condition imposed in this decision, requires permit, license, or other approval from any other board, committee, or agency of the Town of Westwood or other regulatory agency of the Commonwealth or the federal government, the applicant shall make an appropriate application for the same. If any condition of such permit, license, or other approval from any other board, committee, or agency is inconsistent with this decision, the applicant shall make application to the Planning Board for amendment of this Decision, and the planning board shall consider such application in accordance with the all applicable Planning Board rules and regulations.
9. The applicant shall promptly repair any damage which applicant causes to sidewalks, street pavement, signs or other fixtures or features within the public right-of-way, after obtaining permission from the Town. Such repairs shall be performed to Town of Westwood standards.

The Applicant asked how damage to the way would be determined. The Board added an additional 10 condition for the Applicant to take photos of the surrounding public way to document the condition prior to construction.

#10 condition added: The Applicant shall take photographs of the surrounding area including the right of way (paving, curbing, grassed areas etc.) prior to construction and submit to the Planning Board's file to document the current status prior to work.

Action Taken:

Upon a motion made by Mr. Gorman and seconded by Mr. Pfaff, the Planning Board voted 5-0 to approve the Earth Material Movement (EMM) EIDR* at 90 Brook Road with the previous conditions stated.

Upon a motion made by Mr. Gorman and Mr. McCusker, the Planning Board members voted 5-0 to close closing the public hearing.

736 High Street – EIDR Re-Opening & Closing of Hearing

Chairman Atkins noticed that the Planning Board did not vote on the waivers for 736 High Street. Ms. McCabe suggested the Planning Board re-open the hearing.

Upon a motion made by Mr. Gorman and Mr. McCusker, the Planning Board members voted 5-0 in favor of opening the hearing for 736 High Street.

Staff and Board Comments:

Ms. McCabe explained that the Application required 6 waivers from the Application submission requirement from the full site plan review/EIDR. The Board agreed that they were all reasonable requests and the new infiltration and roof runoff proposed is an improvement.

Action Taken:

Upon a motion made by Mr. Gorman and Mr. McCusker, the Planning Board members voted 5-0 in favor of waiving the six application submission requirements of section 7.3.7 of the Zoning Bylaws for the full site plan.

Upon a motion made by Mr. Gorman and Mr. Pfaff, the Planning Board members voted 5-0 in favor of closing the hearing for 736 High Street

Other Business:

ANR (Approval Not Required) Plan, 9 School Street, 291-295, 277-283, 277A WASHINGTON Street (Assessor's Map 23, Lots 161, 162, 163, 165) - To consolidate and reconfigure lots

Ms. McCabe explained that on November 27th, the Board received an ANR Plan and Application for the three lots on the west side of Washington Street (the School Street side). Submission of the ANR plan was a condition of the first closing, which is expected to be tomorrow on November 28th. She explained that this plan reconfigures and matches the lot layout to match the FMUOD Special Permit approval granted on April 10, 2018 for the Petruzzello Islington Redevelopment Project. Lot 3 will be the Blue Hart Tavern, it will be restored and private

ownership. Ms. McCabe went over the 3 lots: Lot 1 is the CVS and parking, Lot 2 is the Library and Community Space, and Lot 3 Blue Hart Tavern parcel.

Public Comments:

F. Fusco, 20 Pine Lane, questioned the proposal for the Blue Hart Tavern's parking and ownership.

The Board responded that the parking and ownership was reviewed and determined by the special permit approved in the spring. In April, the Board found the proposed parking to be adequate. Ms. McCabe added that the area will be shared parking and there was a total of 178 parking spaces.

Ms. McCabe explained that this is the plan that creates the lot lines consistent with the Planning Board's FMUOD Special Permit and submission of this ANR was a condition of that approval. The plan is also consistent with the Land Disposition Agreement.

Action Taken:

Upon a motion made by Mr. McCusker and seconded by Mr. Pfaff, the Planning Board members voted 5-0 in favor to approve the ANR (Approval Not Required) Plan for 9 School Street, 291-295, 277-283, 277A Washington Street (Assessor's Map 23, Lots 161, 162, 163, 165).

Preliminary discussion of Zoning Amendments to submit for Annual Town meeting

Ms. McCabe informed the Board that the Board of Selectmen opened the Annual Town Meeting Warrant last night and it will close in early January. The Planning Board should review, and be prepared to submit a list of Articles at the December 11th meeting. Ms. McCabe provided the Board with the list they submitted in the fall that included 10 articles (dated September 6, 2018). The Board briefly reviewed each of the articles as follows with comments.

Chair Atkins explained that articles 1-3 were the ones sponsored by the Planning Board in fall 2017 that were ultimately disapproved by the Attorney General and the Board agreed to submit again.

From September 6th submission:

Article 1: Accessory Uses in HB zone (employee cafeterias) – *previously approved by Town Meeting*

Article 2: Related to Medical Use definitions and table of uses - *previously approved by Town Meeting*

Article 3: Housekeeping - *previously approved by Town Meeting*

Article 4: clarify how split zoned lots are defined. Ms. McCabe explained there is some vague language and suggested we strengthen this to reduce future misinterpretation.

Article 5: Fence Height, by-right. Ms. McCabe explained the Board previously discussed increasing the by-right height of a fence from 6 feet to raise to 7 feet. Currently, a 6-8 ft. now needs a special permit, it was suggested by the Building Commissioner. Mr. Gorman noted that

the Conservation Commission often asks for space at the bottom of the fence for critters to go under which increases the height.

Article 6: Residential garage and vehicle storage Section 4.3.3.2

Ms. McCabe explained that this section of the bylaw should be revisited because there are some gray areas. Maybe separate it, 4 or more bays needs a special permit. The Board asked for more examples.

Article 7: Nonconforming Uses & Structures

Need to change the language. The Board is looking for some examples and requested this for the next meeting in addition to the full section text.

Article 8: FMUOD Project Area Footnote. A board member suggested adding language to explain that the same property cannot be included in the project area more than once. Staff suggested adding a definition for project area.

Article 9: Accessory Apartments change to family members only.

Ms. McCabe explained some board members wanted to restrict accessory apartments to family members only in the fall. She explained that this was never in the bylaw but used to be imposed by the Zoning Board as a condition when first adopted but no longer common practice. Town Counsel has advised against this. The board discussed accessory apartments and asked how they were counted on the Town's subsidized housing inventory. Ms. McCabe responded that one would need to look at the census figures to find that information. The Board agreed to withdraw this article and not pursue at this time.

Article 10: Fences. A board member previously suggested adding a new requirement related to the finished side of a fence to face the road/out. Ms. McCabe said right now the zoning is silent on which direction a fence should be installed, it is not typically in a zoning bylaw. The Board agreed to withdraw this one and not pursue it for an amendment.

Ms. McCabe added that she will review further and may have more zoning articles for the next meeting and will draft some more language for the ones the board has already suggested. Board members were asked to bring any ideas to the next Planning Board meeting.

Comprehensive Plan (Master Plan) General Update: -Respond to any submitted questions or comments

Ms. McCabe discussed the 18 members of the steering committee that were appointed on November 5. They held their first meeting on November 19th to kick off the process and review their work. They are now working on a survey and a vision session will be organized for the winter, late January or early February. The vision session will be held on a Saturday. Ms. McCabe is still working on the Website. Steering committee members will be reaching out to Planning Board members as liaisons.

Review Meeting Procedures:

Ms. McCabe prepared meeting procedures for the Board and recommended they be visible for everyone in attendance such as posted on the door or on the back of the agenda. The intent is if someone is late you want them to know the procedures, the Planning Board chair will still read

the statement at the beginning of the meetings. The Board members reviewed the draft language and all were in favor.

Review draft 2019 Meeting Schedule:

The Board picked January and February meeting dates. Staff will prepare more dates for next meeting. The Board picked: January 8 & 29 and February 12 & 26 for meetings.

General Miscellaneous Updates:

Any info on the MBTA advisory meeting tomorrow?

-Westwood would like more trains, especially on Weekend nights.

Approval of Minutes: 10/23/18, 11/5/18

Action Taken:

Upon a motion made by Mr. Pfaff and seconded by Mr. McCusker, Planning Board members voted 5-0 in favor to approve the Minutes from 10/23/18 and 11/5/18.

Adjournment:

Upon a motion made by Mr. Gorman and seconded by Mr. Pfaff, the Planning Board members voted in favor (5-0) to adjourn the meeting at approximately 9:10 pm.

*EIDR = Environmental Impact Design Review, pursuant to section 7.3 of Westwood Zoning Bylaw.

List of Documents:

<p>200 University Ave - Security Lock Original 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 & Todd Korchin, Environmental Impact and Design Review (EIDR) - 200 University Avenue, 8/27/2018, 3 pages</p>	<p>PDF</p>
<p>736 High Street Public Hearing Notice, Town of Westwood, 9/27/2018 Application, Town of Westwood, Applicant: John R. Salvatore, 9/26/18, 2 pages Plan of Land, United Consultants Inc., 10/9/2018, 1 page Impact Statement Narrative, From: United Consultants, Inc., 2 pages Waiver Requests, From: United Consultants, Inc., 1 page Revised Plan Drainage for Continued Hearing, From: United Consultants Inc., 11/6/2018, 1 page</p>	<p>PDF</p>

<p>Photo New Area, 1 page Photo 2, 1 page Photo 3, 1 page Photo 4, 1 page Engineering Review Comments, From: Philip Paradis, BETA, To: Todd Korchin and Abigail McCabe, 11/21/2018, 1 page Existing Aerial View, 1 page Proposed Pavement Parking Recommendation, 1 page Revised Site Plan, dated Nov. 26, From: United Consultants Inc., 1 page</p>	
<p>90 Brook Street Public Hearing Notice-90 Brook Street EMM, Town of Westwood, 11/1/2018, 1 page EIDR Application for 90 Brook Street, From: Monique Allen, Jeffrey and Linda Stoler, 10/25/2018, 4 pages Site Photos for 90 Brook Street, 8 pages Existing Conditions Plan - 90 Brook Street, From: Borderland Engineering, Inc., 6/8/2018, 1 page Proposed Site Plan - 90 Brook Street, From: Borderland Engineering Inc., 10/22/2018, 1 page Conservation Agent Comments, From: Karon Catrone, To: Abigail McCabe, 10/29/2018, 2 pages Proposed Site Drainage Plan - 90 Brook Street, Borderland Engineering Inc., 10/22/2018, 1 page Health Director Comments Fire Chief Comments Building Commissioner Comments BETA - 90 Brook Street Earth Material Movement Review 11-21-2018, From: Philip Paradis & Chris Luppino, To: Abigail McCabe & Todd Korchin, 11/21/2018, 5 pages</p>	<p>PDF</p>
<p>Memorandum from Planning Board and Town Planner to Board of Selectmen, dated September 6, 2018, Re: Request for Consideration of Zoning Bylaw Warrant Articles for Fall Town Meeting (2 pages)</p>	<p>PDF</p>
<p>Comprehensive Plan Update Comp Plan Process Work Plan, November 2018, 3 pages Comp Plan FAQs, November 2018, 5 pages Public Participation Plan, November 2018, 4 pages</p>	<p>PDF</p>
<p>Draft Planning Board meeting procedures summary</p>	<p>PDF</p>
<p>ANR 277-283, 227A, 291-295 Washington Street 9 School Street ANR Application - Islington, From: Peter Zahka, To: Westwood Planning Board, 11/27/2018, 8 pages ANR Plan Islington Center Redevelopment Phase I Parcels, From: GCG Associates, Inc., 11/21/2018, 1 page</p>	<p>PDF</p>