

**Planning Board Meeting Minutes
Tuesday, September 5, 2017
Champagne Meeting Room - 7:00 PM
Westwood, MA 02090**

Call to Order:

The meeting was called to order by Vice Chairman Atkins at approximately 7:01 p.m. Mr. Atkins will be serving as Acting Chairman for this meeting.

Present:

Planning Board members present: Steven H. Olanoff, David L. Atkins, Jr., Michael L. McCusker and Brian D. Gorman. Trevor Laubenstein was absent. Staff members present: Town Planner Abigail McCabe, Community & Economic Development Director, Nora Loughnane and Planning & Land Use Specialist Janice Barba.

44 Harvard Street, Life Time Fitness, University Station Development Area C – Amendment to Project Development Review (PDR) Approval - Request to all medical office/health care professional use on second floor

Presentation

Attorney Brian Dugdale of Goulston & Storrs was present with Scott Ferguson, Operations Manager for Life Time Fitness. Mr. Dugdale explained that this is a technical amendment to the PDR approved in 2013 as the office of a health care professional use was always contemplated at Life Time Fitness and is allowed in the University Avenue Mixed Use District (UAMUD) zone. The medical office for primary care services will complement the chiropractic, physical therapy, nutritional services currently on site. No exterior changes are proposed and there is adequate parking with this additional use.

Town Planner's Comments

- Ms. McCabe stated that the Planning Board typically reviews the parking plans when a change of use is requested to ensure that no negative impacts will result. She said that Life Time has over 550 parking spaces and it is unlikely that this additional office will impact the parking.
- Ms. McCabe stated that she received inquiries from the Deputy Fire Chief about whether specific equipment would be used in the medical office and if it is equipped to handle emergencies. Life Time provided responses to the equipment inquiries and that if emergency services would be needed, they would call 911. This facility will not be responding to emergencies.

Board Questions & Comments

- Board members asked a few questions about the type of medical clinician proposed and whether a tenant has already been chosen.
- A Board member questioned Mr. Ferguson about the adequacy of the parking in general for Life Time Fitness and confirmed that this additional use would not negatively affect it.

No Public Comments

Action Taken

**REPORT AND DECISION
AMENDMENT TO PROJECT DEVELOPMENT REVIEW APPROVAL FOR
LIFE TIME FITNESS INC. – UNIVERSITY STATION**

At a meeting of the Westwood Planning Board held on September 5, 2017:

A Motion made by Planning Board Member, Michael L. McCusker as follows:

I move that, pursuant to Section 9.7.12.2.2 of the Westwood Zoning Bylaw, the Planning Board:

- (1) Vote to amend the Project Development Review (PDR) Decision issued by the Planning Board on December 17, 2013, in connection with the application for PDR amendment (the "Application") submitted by Life Time Fitness, Inc. (the "Proponent") on August 28, 2017, to add primary and preventative care (the "Proposed Use") to the existing Health Care Office Use at the Proponent's facility located in "Development Area C" on the plan entitled "University Avenue Mixed Use District, Modified Master Development Plan," prepared by Tetra Tech, last revised November 22, 2016 (the "Master Development Plan").
- (2) In connection with the issuance of such PDR amendment, make the following findings with respect to the Proposed Use:
 - (i) the Proposed Use materially conforms to the Master Development Plan and supporting documents on file with the Town Clerk;
 - (ii) any previously-developed portion of the University Avenue Mixed Use Development (UAMUD) Project has not resulted in material adverse impacts that have caused a condition that does not comply with applicable regulatory requirements or, in the opinion of the Planning Board, is substantially detrimental to the public health or safety or the environment;
 - (iii) the Proposed Use does not pose new material adverse impacts or materially exacerbate existing adverse impacts to any adjacent property or the proximate neighborhood that have not already been addressed through mitigation required by the Development Agreement by and between the Town of Westwood and Westwood Marketplace Holdings LLC dated as of May 7, 2013, as the same may be amended from time to time;
 - (iv) the Proposed Use results in net fiscal benefits to the Town and the Proponent has adequately mitigated any adverse fiscal impact;
 - (v) the Proposed Use complies with the standards and requirements set forth in Section 9.7 of the Westwood Zoning Bylaw, including but not limited to the performance and design standards set forth in Section 9.7.11; and
 - (vi) all waivers from the University Avenue Mixed Use District (UAMUD) Rules and Regulations requested in the Application and approved hereby are: (a) in the public interest or relate to information that is not relevant to the Amendment or would be duplicative of information previously provided in connection with the UAMUD Project or prior phases thereof; and (b) consistent with the intention and purpose of said Rules and Regulations and the Westwood Zoning Bylaw.

This Motion was seconded by Steve H. Olanoff.

Those voting in favor: David L. Atkins, Jr.; Michael L. McCusker; Brian D. Gorman and Steven H. Olanoff

Opposed: none

Thompson Ave. Westview Estates Definitive Subdivision Amendment – Public Hearing -*Request to modify the approved plan that includes trees planted every 30 ft. on both sides of the street*

Presentation

Paul Tryder of Cornerstone Corporation gave a brief presentation on a request to modify the approved tree planting plan for Westview Estates. The approved subdivision plans showed 3" trees planted every 30' out of the right of way on the private lots. Mr. Tryder submitted an alternate landscape plan which shows 25 trees planted along the non-buildable lot 18 with the detention basin; some trees on the side of lot 17; sides of lot 21 and along the front of lot 23.

This fall Cornerstone Corporation will seek to finish all work in the right of way and close out the subdivision, with the

intention of requesting street acceptance at November town meeting. Mr. Tryder asked that the Planning Board consider waiving the remaining tree plantings not yet planted and allow Cornerstone to contribute \$22,913 into a Tree Fund. Mr. Tryder reported that he contacted all of the neighbors and received mixed responses to offers to plant trees on homeowner's lots. He said that some neighbors are opposed to adding additional trees on their lots.

Town Planner's Comments

- Ms. McCabe informed the Board that Town Staff has recently established a tree fund account that can be used for tree plantings and replacement of trees at other locations in town. Furthermore that she and other town staff agree that the amount of money offered by Cornerstone Corporation is adequate.

Board Questions & Comments

- Board members asked if there was a consensus from the lot owners about the desire for tree planting.
- Board members asked for clarification on what is currently planted.
- A Board member summarized that essentially the developer owes the town 60 street trees or to provide the financial contribution to the tree fund as street trees were part of the original subdivision approval.
- Board members discussed the developer's offer of \$654 per tree x 60 = \$22,913 which would be deposited into the tree fund account. There was additional discussion about the possibility of using those funds for trees in Westview Estates. Board members discussed the possibility of the developer paying for and planting trees as the homeowner's desire.

Public Comments

J. Menedez, 49 Thompson Ave. – expressed a desire for more trees to be planted in the subdivision and suggested that the \$22,913 be deposited to the homeowner's association. She asked if the trees could be planted between lot lines 12-20' from the sidewalk.

A.Devgan, 87 Thompson Ave. – commented that he and other homeowners want flexibility on the type of tree and its proposed location.

E. Tateosian, 44 Thompson Ave. – commented that he would like to be reimbursed for the five trees he has already planted.

Vice Chairman Atkins advised Mr. Tryder to meet with the neighbors to create an alternative tree planting plan and present it to the Board at its next meeting.

Action Taken

Upon a motion by Mr. Gorman and seconded by Mr. McCusker, the Board voted unanimously in favor to continue this hearing until Tuesday, September 19th, at 7 p.m. in Champagne Meeting Room, 50 Carby Street.

Review and discuss possible zoning amendments for November Town Meeting:

Ms. McCabe reviewed the Fall Town Meeting Timeline with the Board:

Monday, 9/11 – Board of Selectmen consider holding fall special Town Meeting. The Warrant articles will be reviewed by the Selectmen at their next meeting and all requests for zoning amendments should be submitted prior to this meeting, preferably by 9/6.

Board members discussed the following proposed amendments:

Table of Accessory Uses in the Highway Business (HB) Zone: After a lengthy discussion about changing the language of 4.3.5.1 to include "the general public", the Board decided to just change the N for no to Y for yes to allow this use in the Highway Business zone and to possibly add a definition for cafeterias in Section 2.0 {Definitions}.

4.3.5 ACCESSORY USES IN INDUSTRIAL, HIGHWAY BUSINESS AND ARO DISTRICTS

4.3.5.1 Retail uses, such as cafeterias, snack bars, gift shops and vending machines dispensing food, soft drinks and incidental merchandise items; provided that any such uses shall be conducted primarily for the convenience of employees and the clientele of the principal use of the premises and shall be wholly within a building and have no exterior advertising display.

Amendments Related to Footnote in FMUOD1: Board members discussed the footnote #1 {"Minimum project area shall include contiguous parcels and parcels separate by a roadway or railroad right of way, that are effectively contiguous."} and the possible impacts on future projects. Ms. Loughnane informed Board members that footnote #1 was intended to clarify the Board’s common practice of reviewing applications as one project when they were effectively contiguous, in response to resolving a lawsuit related to the original Westwood Station project. Board members agreed to table this discussion to a later date.

Residential Maximum in FMUOD:

Staff informed the Board members that the Board of Selectmen may consider a zoning amendment that would limit the total number of residential units in the FMUOD but their meeting is not until next week so they have not fully this fully yet. Staff was working on preparing analysis of development potential after looking at the properties in FMUOD.

Amendments Related to Medical Uses:

Ms. McCabe discussed the need for clarification of how uses such as surgical centers, medical offices, out-patient facilities, hospitals, non-surgical procedure uses are defined and where they are allowed in Town. The zoning bylaw presently uses various terms that are not clearly defined.

Board members agreed to clarify the definitions for various medical uses.

Upcoming project in Dedham: Ms. McCabe informed the Board that there will be a special permit application for a new three-story mixed use building at 1000 Washington Street (the corner of Washington and Gay Street near the Town line near Hogan Tire). The new building is proposed to have ~2,800 sq. ft. first floor commercial and 28 one-bedroom apartments and 43 parking spaces. A public hearing date has not yet been scheduled but is expected this fall. The Board’s initial responses was that they may have comments related to traffic existing onto Gay Street extension and the timing of the traffic signal in Westwood at that intersection.

Approval of Minutes:

Upon a motion by Mr. Olanoff and seconded by Mr. McCusker, the Board voted 4-0 in favor to approve the following meeting minutes as amended: 8/22/17.

Adjournment

Upon a motion by Mr. McCusker and seconded by Mr. Gorman, the Board voted unanimously in favor to adjourn the meeting at approximately 9:35 p.m.

List of Documents

• Memo to Planning Board from A. McCabe dated 8/31/17, re: Meeting Summary for 9/5/17	PDF
• Life Time Fitness Application, Narrative, Plans, Floor Plans – C131 Approved Site Layout	PDF
• Letter to A. McCabe, from: Fedele & Murray dated 8/1/17, RE: request to modify tree plantings	PDF
• Westview Estates - Approved Tree Planting Plan & Alternative Plan, Photographs, 2011 Approved Plans	PDF

• Conservation Comments; Westview Estates	PDF
• Fire Dept. Comments; Life Time Fitness	PDF
• Draft Warrant Articles from Abby McCabe	PDF
• ZBA Applications for 9/20/17 Meeting	PDF