

**Town of Westwood
Planning Board Meeting Minutes
Tuesday, February 23, 2016
Main Library, 660 High Street, Community Meeting Room
7:30 PM**

Call to Order:

The meeting was called to order by Chairman Chris Pfaff at approximately 7:32 p.m. WestCAT was granted permission to videotape the meeting.

Present:

Planning Board members present: Chris Pfaff, Steve Olanoff, John Wiggin, Bruce Montgomery and Trevor Laubenstein. Staff members present: Community & Economic Development Director Nora Loughnane and Planning & Land Use Assistant Janice Barba who recorded the minutes.

301-315, 317 323 Washington Street – Public Hearing for Special Permit

Chairman Pfaff welcomed Attorney Peter Zahka, Developer Giorgio Petruzzello, Architect Mike McKay, Project Engineer Matt Smith of Norwood Engineering and traffic consultant Ken Cram to the meeting.

Mr. Zahka gave a brief summary of the plan changes since the last public hearing and architect Mike McKay provided the details on the revised design and addressing BETA Group's comments from January 7th:

- The commercial space to the right rear corner will have access to a sidewalk;
- Awnings are not proposed at the new building;
- Several apartments on the 3rd floor will only have one window in either the living or the bedroom;
- The updated drawings indicate the headroom lost at both the front right and left corners;
- The mechanical equipment proposed is for 16 two-three ton condensers in a 3' deep recessed area in the roof;
- Fall protection has been added outside the building;
- The garage will be 10' from floor to floor with 14.5% transition area;
- The building columns are recessed 2' from edge of parking space and will be protected with concrete.
- The garage will have a flat louvered grate in the left corner with exhaust fan activated by carbon monoxide detectors.

Engineer Matt Smith summarized the responses to BETA Group's comments:

- The underground parking spaces are intended to be used only by the tenants of the building;
- The tandem spaces will be utilized by either the residential or commercial tenants with more than one vehicle;
- Vehicle access has been changed to one-way as suggested;
- A 5' wide concrete sidewalk w/ADA accessible ramps has been provided;
- The dumpster will comply with Board of Health regulations;
- The landscape plans show the location and detail of the proposed bike rack.

Ch. Pfaff asked peer review consultants of BETA Group, Inc. Merrick Turner, Mike Sinesi and Greg Lucas to summarize the outstanding findings and recommendations of the report:

- *Merrick Turner* summarized outstanding items related to the Applicant's waiver requests and Landscaping:
 - Temporary construction access may need to be received from abutting properties to install the 20' trees.
 - Renderings should be updated per finalized plans;
 - Planting details regarding the need for additional maintenance may be needed for the 20' tall pine trees;
- *Mike Sinesi* discussed the following architectural design recommendations:

- Elevations for the retail building facades are required as well as the locations and additional detail for the building mounted light fixtures;
 - A roof plan is required, indicating roof parapet/ridge and deck elevations, heights of various equipment, screening; roof slope, drainage, overflow drainage and means for roof access, along with any other rooftop mounted items such as satellite dishes;
 - A signage package should be submitted for review;
 - Information is needed about how will tenants egress and whether there will be an interior corridor;
 - Architectural drawings and the landscape/engineering drawings need to be coordinated;
 - Materials boards are required.
 - A scaled section through the garage ramp (with a vehicle at scale) showing the street level and curb line, ramp and slope, garage entrance, garage floor and ceiling and clarification on the clearances.
 - Garage exhaust should be relocated.
- *Greg Lucas reviewed parking and access:*
 - Parking demand information remains outstanding;
 - Information on how deliveries will be accommodated remains outstanding;
 - Updated information on a sidewalk/protected walkway between the new building side façade and drive land between two buildings is needed;
 - Sight distance should be coordinated with landscaping plan;
 - An updated SW22 is required;
 - Field testing soil is required;
 - Proposed locations for all utilities for new building is required.

Planning Board members provided comments about the landscape/streetscape; rear landscaping; adjusting space angles; loading areas; ramps, auto turning radii; dumpster details; double trash/recycling receptacle units; pavement, lighting in the rear of the building; sidewalk at the driveways; and overall comments about parking.

Public Comments:

R. Magnusen, 118 School Street: commented on the maintenance of pine trees lining back of the property, asked about an additional dumpster.

H. Gordon, 44 Brookfield: requested to look at materials board

W. Delay, 148 School Street: asked for the parking space dimensions, asked about the length of time for construction of the project.

J. Dwyer, 91 School Street: commented that he is concerned about the number of parking spaces required.

C. Martin, 23 Brookfield Street: commented that she wants a pedestrian friendly, bike friendly project; asked about the proposed businesses; would like a pedestrian barrier, concerned about traffic turning into the garage and the traffic backups.

E. Klosi, 31 Beacon Street: commented that she is happy with the changes made

D. Atkins, 85 Parker Street, requested a statue.

B. Gorman, 145 School Street, commented about parking concerns and shortage of spaces; talked about loading problem, doesn't want shrubbery removed, doesn't want a certain type of furniture; asked the status of the Blue Heart Tavern.

L. Mahoney, 198 Mill Street asked about new sidewalks, the municipal parking lot

M. Drainville, 57 Wentworth Street asked about loading and unloading of tractor trailers.

P. Kelly, 107 Willard Circle, asked if snow will be plowed or removed.

Final Board Comments:

A board member requested that the handicap parking be lined up with the door of the Islington Pizza building, in line with the door; a board member commented that parking is the overriding, unresolved issue.

Ms. Loughnane requested that Beta Group, the Development team, Town Planner and other Town staff meet ahead of the next meeting on 4/12 to finalize all plan changes.

On a motion by Mr. Laubenstein, and seconded by Mr. Olanoff, the Board voted 5-0 to continue this hearing until 4/12/16 at the Library Meeting Room at 7:30 p.m.

Mill Street (Map 19, Lot 23) – EMM Special Permit Public Hearing

This hearing is continued from 2/9 so that the Board could review the abutter's letter and exhibits submitted on 2/9, visit the site, and have the Town Engineer answer questions of board members.

Engineer Dan Merriken was present with the site plans which were updated and revised in accordance with the engineering review comments provided by Jeff Bina since the last meeting.

Town Engineer Jeff Bina was present to answer questions of the Board related to the abutter's letter and exhibits submitted at the last hearing. Mr. Bina addressed some of the concerns expressed by the abutter specifically with regard to Section 7.1.2.4: he reported that the grading changes along the property lines with the abutting lots do not have an elevation differential that would require temporary or permanent lateral support. The slope of the exposed ledge slope by nature is stable and should not erode over time; and with regard to Section 7.1.4.6: he reported that the proposed work does not have a material adverse impact on the natural drainage patterns of groundwater or surface water. He added that proper maintenance of the proposed drainage system will ensure the continued operation as designed.

Public Comment:

G. Buckley, Millbrook Road asked about blasting permits and Conservation Commission appeals.

L. Mahoney, 198 Mill Street, asked about what happens if DEP doesn't overturn Conservation Commission decision; asked about buffer zones.

On a motion by Mr. Montgomery, and seconded by Mr. Laubenstein, the Board voted 5-0 to close the public hearing and grant the Special Permit application for Lot 1 Mill Street with the standard conditions of approval plus the following:

1. That the DPW shall be notified to inspect the installation of the infiltration chamber.
2. Trucking shall enter Mill Street from Hartford Street.
3. Construction and site work shall comply with the noise and construction general bylaw.
4. Any damage within the public right of way shall be promptly repaired after receiving permission of the Town.
5. The project engineer shall certify that the infiltration system was installed per the proposed design shown on the submitted and approved Project Plan [plan entitled "Lot 1 Mill Street, Site Plan, Plan of Land in Westwood, MA", prepared by Merrikin Engineering, LLP, dated July 17, 2015, last revised February 19, 2016"]. If the final design varies significantly from the proposed design, an as-built plan certified by the design engineer shall be submitted to the Town Planner and Town Engineer prior to the issuance of the Certificate of Occupancy.

Approval Not Required Plan – 44 Mill Street

At its meeting on February 9th, the Planning Board determined that the Applicant did not demonstrate that vital access exists to lots proposed for creation by said plan and declared the ANR submission incomplete. On February 11th the Applicant submitted additional materials in an effort to have the ANR submission deemed complete. This ANR is again brought before the Planning Board for further action tonight.

Ms. Loughnane informed the Planning Board that the Town Planner reviewed the materials submitted by the Applicant on February 11th and determined that the intended land division shown on the proposed ANR plan constituted a subdivision under the MA Subdivision Control Law. Board members agreed that they are unable to endorse the proposed ANR plan.

On a motion by Mr. Olanoff and seconded by Mr. Montgomery, the Board 5-0 in favor to require approval under the Subdivision Control Law, for a plan entitled "Plan of Land, 44 Mill Street, Westwood, MA."

Girl Scout House, Laura Ln. – Limited EIDR Public Hearing

This Application is for a Limited EIDR of a non-profit, educational use, with shared parking on an adjacent property. The Town is proposing to construct an approximately 1,000 sq. ft. building for use as a Girl Scout Meeting House, on a newly created parcel on Laura Lane, with shared parking on the adjacent Hanlon School property. Both properties are in the Single Residence A zoning district.

Special Counsel Dan Bailey was present to discuss the Town's intention to transfer this parcel to the Girl Scouts of America of Eastern Massachusetts and to fund the cost of construction of the meeting house as part of the property exchange agreement.

Builder Bob Fallon was before the Board to present the building plans.

Multiple waivers have been requested and Board members determined that such waivers will result in a substantially improved project; which will otherwise meet the performance and design standards and, that such waivers will pose no substantial detriment to any adjacent property or proximate neighborhood.

On a motion by Mr. Olanoff and seconded by Mr. Montgomery, the Board voted 5-0 in favor to grant Limited Environmental Impact and Design Review Approval for the Girl Scout House.

20 Southwest Park – EIDR Public Hearing

Applicants and co-owners of the property at 20 Southwest Park, Marilyn Lee-Tom and Richard Lee were present with representatives of their development team to provide revised site plans in accordance with the requests of the Planning Board since the last hearing on February 9th. One item that the Board deliberated on was whether a bicycle rack should be installed at an office building that only has access on Route 1.

The following waivers were requested by the Applicant and granted by the Planning Board: waiver of submission of a traffic study; waiver of submission of a presentation model and waiver of showing the existing drainage patterns, utilities, sanitary sewer and water supply, and grading on the submitted site plan.

On a motion by Mr. Montgomery and seconded by Mr. Laubenstein, the Board voted 5-0 to grant EIDR approval for 20 Southwest Park with the standard conditions plus the following: (1) the bicycle rack shown on the approved Project Plan is not required and (2) a second dumpster shall be provided within the proposed dumpster enclosure.

79 Country Lane – EMM Special Permit Public Hearing

Attorney Ned Richardson was present with the applicant, Shawqui Alsarabi of Better Living Investment Partners, LLC. This application involves earth work related to a house addition. A building permit had

been issued for the addition in the fall but failed to show the full extent of grading work on the original plans and a cease and desist order was issued by the Building Commissioner 12/17/15.

Town Engineer Jeff Bina was present and reviewed his memos dated 2/7/16 and 2/22/16 requesting details on soil erosion prevention measures and a description or composition of expected imported material. He reported that the Applicant provided this detail and revised plans to show a proposed rain garden along the down slope of the driveway and plans were revised to describe soil erosion measures; that the construction details of the segmented block wall were also provided but the Applicant should verify that the wall has been constructed to the details on the plan. Lastly, Mr. Bina said that notes were added to the proposed plans to ensure a 3' minimum cover over sewer service and that if grading affects the sewer service, the contractor shall make appropriate repairs and notify the sewer department for inspection.

Mr. Richardson requested that the Board consider granting a waiver from showing the 2-ft. contours and lateral supports on the plans.

Public Comments:

P. Pender, 87 Country Lane played a video for the board showing runoff onto his property from 79 Country Lane during a recent rain storm.

J. Lally, Lakeshore Drive commented about the poor condition of the site.

Board members agreed that additional information is necessary on the grading plan and a hydrologic report shall be submitted to the Town Engineer. The Applicant should work closely with Mr. Bina between now and the next meeting.

On a motion by Mr. Montgomery and seconded by Mr. Laubenstein, the Board voted 5-0 to continue this public hearing to Tuesday, March 15th at 7:30 in the cafeteria at the Downey School.

14 Stonemeadow Drive - EMM Special Permit Public Hearing

The Applicant proposes to add ~4,470 cubic yards of fill to the property, specifically to re-grade the back and side yards and to construct a segmented block retaining wall near the westerly property line.

On a motion by Mr. Montgomery and seconded by Mr. Wiggin, the Board voted 5-0 to grant the special permit application to import and move more than 200 cubic yards of earth material in a residential district at 14 Stonemeadow Drive with the standard conditions plus the following:

1. The existing pavement on Stonemeadow Drive shall be protected from damage from loading and unloading of material and/or equipment related to the proposed construction.
2. The project engineer shall certify that the retaining was installed per the proposed design shown on the submitted and approved Project Plan [plan entitled "Proposed Grading Plan, 14 Stonemeadow Drive, Westwood, Massachusetts", prepared by George J. Zambouras, dated January 12, 2016, revised February 14, 2016]. If the final design varies significantly from the proposed design, an as-built plan certified by the design engineer shall be submitted to the Town Planner and Town Engineer prior to the issuance of the Certificate of Occupancy.
3. All trucks carrying earth material to and from the Project Site at 14 Stonemeadow Drive shall be required to access Stonemeadow Drive from the east from Summer Street via Longmeadow Drive only. All trucks shall be prohibited from travelling on the emergency connector between Stonemeadow Drive and Far Reach Road.

75-85 Providence Highway – EIDR* & Special Permit – Approved on 10/20/15. Public hearing continued to allow Conservation Commission review.

On a motion by Mr. Montgomery and seconded by Mr. Olanoff, the Board voted 5-0 to close this hearing without discussion.

Review Zoning Amendments for Annual Town Meeting Warrant Articles

Ms. Loughnane distributed updated zoning amendment drafts for Board discussion. The following shaded text shows the edits requested by the Board.

Article 1 -

Revised Section 8.3.9.4.6 [Aggregate Yield] to allow the aggregate yield to exceed 50% of the maximum number of base dwelling units where the OSRD contains age-restricted dwelling units.

Reformatted Section 8.3.11 to use a table for the calculation of required affordable units.

Article 2 -

Reformatted Section 4.4.2.

Changed the section title to Commercial Outdoor Seating

Required that the initial plan for a commercial outdoor seating area be approved by the Town Planner, rather than by the Building Commissioner.

Article 3 -

Reformatted each of the various Affordability Requirements sections to use a table for the calculation of the required number of affordable units (except for Section 9.7.4.5.3 in UAMUD).

Article 5 -

Reduced the scope of amendments to Section 6.1.9 to Section 6.1.9.3.4 only.

Added language to clarify that the Planning Board may require surety or other provisions to ensure physical and financial ability to construct future parking.

Combined waiver findings in Section 6.1.12.4 and 6.1.12.5 into a single finding.

Article 6 -

Added housekeeping amendments to various provisions affecting Registered Marijuana Dispensaries to correct errors recently discovered.

Article 1: Zoning Amendments Related to Senior Housing – To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw related to Section 8.3 [Open Space Residential Development (OSRD)] to provide for age-restricted housing, amend the application procedures, and delete in its entirety Section 8.4 [Senior Residential Development (SRD)].

1) Delete Section 8.4 [Senior Residential Development (SRD)] in its entirety and renumber subsequent sections as appropriate.

2) Amend Section 8.3 to read as follows:

Article 2: Zoning Amendments to Allow Commercial Outdoor Seating as an Accessory Use - To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw to allow commercial outdoor seating as a permitted accessory use in association with permitted commercial uses by adding a new use category to Section 4.3.1 [Table of Accessory Uses].

1) Add a new Section 4.3.2.5 to read as follows:

2) Add a new Section 4.4.2 to read as follows:

3) Delete Note 6 in Section 4.2 [Notes for Table of Principal Uses] in its entirety and renumber subsequent notes as appropriate.

Article 3: Zoning Amendments Related to Calculating the Required Affordable Units - To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw to further define how to calculate the required number of affordable housing units in various sections of the Zoning Bylaw, including without limitation Section 8.3 [Open Space Residential Development], Section 8.4 [Senior Residential Development], Section 9.5 [Flexible Multiple Use Overlay District], and Section 9.7 [University Avenue Mixed Use District].

- 1) Add a new Section 8.3.11 to read as follows, and renumber subsequent sections as appropriate:
- 2) Amend Section 8.4.3.6 to read as follows:
- 3) Amend Section 9.5.14 to read as follows:
- 4) Amend Section 9.7.4.5.3 to read as follows:

Article 4: Zoning Amendments to Allow Administrative Review for Minor Alterations of Existing Wireless Facilities – To see if the Town will vote to amend the Westwood Zoning Bylaw to add a new Section 9.4.5.5 under Permits Required in the Wireless Communications Overlay District to allow an administrative process for minor alterations.

- 1) Add a new Section 9.4.5.5 to read as follows:

Article 5: Zoning Amendments Related to Off-Street Parking - To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw Section 6.1 related to Off-Street Parking.

- 1) Amend Section 6.1.2 to read as follows:
- 2) Amend Section 6.1.9.3.4 to read as follows:
- 3) Amend Section 6.1.10 to read as follows:
- 4) Amend Section 6.1.11 to read as follows:
- 5) Amend Section 6.1.12 to read as follows:

Article 6: Housekeeping Amendments to Zoning Bylaw and Official Zoning Map - To see if the Town will vote to approve certain housekeeping amendments to various sections of the Westwood Zoning Bylaw and official Zoning Map as may be necessary to correct any errors or inconsistencies.

- 1) Amend Section 4.1.6.1 to read as follows:

	SRA	SRB	SRC	SRD	SRE	GR	SR	LBA	LBB	HB	I	IO	ARO
4.1.6.1 Earth Material Movement per Section 7.1	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB	PB

- 2) Delete Note 10 in Section 4.2 [Notes for Table of Principal Uses] in its entirety, and renumber subsequent notes as appropriate.
- 3) Amend Section 6.1.5.13 to read as follows:
- 4) Amend Section 6.1.19.5 to read as follows:
- 5) Amend Section 7.4.4 to read as follows:
- 6) Amend Section 7.4.6 to read as follows:

7) Amend the Official Zoning Map to correct the depiction of the UAMUD (University Avenue Mixed Use Overlay) District by extending the delineation of UAMUD to cover a ~3,600 SF rear portion of a parcel of land on Whitewood Road near the intersection of the former Blue Hill Drive shown on Assessor's Parcel Map 33 as Lot 51, so that the Official Zoning Map is consistent with the previously adopted Master Development Plan referenced in Section 9.7 of the Zoning Bylaw, and to correct the depiction of zoning district boundaries to be coincidental with lot lines where appropriate, as shown on the revised Official Zoning Map dated May, 2016.

Article 7: Zoning Amendment Related to Project Area in the FMUOD-1 – To see if the Town will vote to approve certain amendments to the Westwood Zoning Bylaw Section 9.5.9.1 [Minimum Project Area] under the Flexible Multiple Use Overlay District (FMUOD-1) also known as the University Avenue Business District from 30 acres to 10 acres.

1) Amend Section 9.5.9 [Alternative Dimensions Table] to decrease the minimum project area in the FMUOD-1 from 30 acres to 10 acres by amending Section 9.5.9.1 to read as follows:

		<u>FMUOD 1</u>	<u>FMUOD 2</u>	<u>FMUOD 3</u>	<u>FMUOD 4</u>	<u>FMUOD 5</u>	<u>FMUOD 6</u>	<u>FMUOD 7</u>
9.5.9.1	Minimum Project Area ¹	10 acres	5 acres	10 acres	5 acres	5 acres	1 acre	1 acre

2) Add a footnote to Minimum Project Area in Section 9.5.9.1 to read as follows, and renumber subsequent footnotes as appropriate:

¹ Minimum project area shall include contiguous parcels and parcels separated by a roadway or railroad right-of-way that are effectively contiguous.

On a motion by Mr. Montgomery and seconded by Mr. Olanoff, the Board voted 5-0 to continue this public hearing to Monday, March 7th at 7:30 in the Little Theatre at the High School.

Review and Signing of Decisions from Prior Meetings – Board members signed the signature pages for the Mill Street and Stonemeadow Drive Earth Material Movements Special Permit Decisions.

Adjournment:

Upon a motion by Mr. Wiggin and seconded by Mr. Olanoff, the Board voted unanimously in favor to adjourn the meeting at approximately 12:45 a.m.

Upcoming Planning Board Meetings: Tuesdays: 3/15, 4/12, Monday 4/25

List of Documents

• Meeting Summary from Town Planner to Planning Board dated 2/23/16	PDF
• Letter to Town Planner Abigail McCabe dated 1/29/16 from McKay Architects RE: peer review response	PDF
• Letter to Town Planner Abigail McCabe dated 2/4/16 from Norwood Engineering RE: response to BETA Group comments	PDF
• Letter to Town Planner Abigail McCabe dated 2/18/16 from BETA Group, Inc. RE: peer review comments for 301-323 Washington St. Mixed Use Development	PDF

• Proposed Grading Plan – 79 Country Lane	PDF
• Memo to Town Planner from Town Engineer dated 02-07-16, review comments for 79 Country Lane	PDF
• Proposed Grading Plan – 14 Stonemeadow Drive	PDF
• Memo to Town Planner from Town Engineer dated 02-07-16, review comments for 14 Stonemeadow Drive	PDF
• Email from K. Catrone to A. McCabe dated 1/25/16 re: 14 Stonemeadow Drive	PDF
• Memo to Town Planner from 20 SWP, LLC dated 02-08-16 re: response to comments from engineer and police dept.	PDF
• Memo from Town Engineer Jeff Bina to Town Planner dated 02-17-16 re: review comments Lot 1 Mill Street	PDF
• Memo from Merrikin Engineering to Planning Board dated 02-07-16 re: Responses to Jeff Bina’s review comments of 02-01-16	PDF
• Proposed Zoning Amendments Articles for Annual Town Meeting	PDF