

Planning Board Meeting Minutes
Tuesday, April 12, 2016
Library, 660 High St. – 7:30 PM

Call to Order:

The meeting was called to order by Chairman Chris Pfaff at approximately 7:33 p.m. WestCAT was granted permission to videotape the meeting.

Present:

Planning Board members present: Chris Pfaff, Steve Olanoff, John Wiggin, and Bruce Montgomery. *Trevor Laubenstein was absent.* Staff members present: Town Planner Abigail McCabe and Planning & Land Use Specialist Janice Barba, who recorded the minutes.

71 Oak Street – Earth Material Movement Special Permit Public Hearing (*Alternate Planning Board members Steve Rafsky and Todd Sullivan were appointed by the Chairman to sit for this hearing.*)

The Applicant's representative Rick DiSimone of 71 Oak Street, LLC gave a brief presentation of the plan which proposes to bring in 1,000 cubic yards of fill associated with the reconstruction of a single-family residence known as Assessor's Map 35, Lot 105. The property is located in the Single Residence C (SRC) zoning district.

The plan and submission documents were reviewed by Town Engineer Jeff Bina for compliance with requirements of Section 7.1 of the Zoning Bylaw. Detail of drainage and soil erosion prevention measures; the quantity and composition of material being imported/exported/regraded; and a requirement for protection of the slope adjacent to the driveway were the items needing clarification and/or further information. The Applicant submitted a revised plan to Town Planner Abby McCabe on April 11th reflecting the requests by the town engineer.

A board member asked about measures for protecting and preventing dirt from being dragged onto the street. The Applicant responded that they have cleared the driveway and that they will clean it regularly. The Board agreed to add this as a condition.

Public Comments:

F. Jacobs, 61 Oak St. – asked about the status of an old chain link fence located between his property and 71 Oak St. (Applicant's representative responded to this abutter and said that the fence will be taken down.)

On a motion by Mr. Olanoff, and seconded by Mr. Montgomery, the Board voted 5-0 to grant the requested Earth Material Movement Special Permit with the conditions outlined in the Town Planner's draft conditions, plus the following:

1. The existing pavement on Oak Street shall be protected from damage from loading and unloading materials and/or equipment related to the proposed construction.
2. The driveway shall be cleaned daily to prevent excess tracking of material onto the public way or a crushed stone entrance shall be used and replaced when necessary to keep dirt from being tracked onto the street.
3. The Applicant shall notify the DPW during installation and backfill of infiltration chambers, drywells, and roof drains that are proposed to ensure compliance with the design.
4. The Town Engineer shall verify that the swale was installed and functioning properly prior to the issuance of a Certificate of Occupancy.

5. The project engineer shall certify that the infiltration system was installed per the proposed design shown on the submitted and approved Project Plan.
6. All trucks carrying earth material to and from the Project Site shall be required to access the Project Site from Oak Street from the south only. Access from Reservoir Road is prohibited.
7. Photographs shall be submitted by the Applicant prior to the expiration of this Special Permit's appeal period to reflect the existing conditions prior to the beginning of construction.

On a motion by Mr. Olanoff and seconded by Mr. Montgomery, the Board voted 5-0 to close the hearing.

Westwood Estates Subdivision (Wight Lane & 9 Hedgerow Ln.) – Definitive Subdivision and Earth Material Movement Special Permit Public Hearing *(Alternate Planning Board members Steve Rafsky and Todd Sullivan were appointed by the Chairman to sit for this hearing.)*

Proposal to subdivide lot at end of Wight Lane into ten, single-family lots and construct a ~1,110 ft. road off of Hedgerow Lane for the properties known as Assessor's Map 32, Lots 197 & 009. The project also requires an Earth Material Movement Special Permit for the removal, filling, and regrading of more than 250 cubic yards of earth.

Present were Proponent David Spiegel, Trustee of Canton Street Realty Trust, attorney Peter Zahka and Matt Smith of Norwood Engineering.

Matt Smith of Norwood Engineering gave a brief presentation summarizing the new, 10-lot subdivision, with a reconfigured, extension of Hedgerow Lane serving the ten house lots; all utilities have been shown, sewer will be provided to the new lots by extending the existing sewer main on Lyons Drive. The design proposes that Hedgerow Lane will be connected to Lyons Drive, with an emergency, paved access road, 14' wide of pavement and 3' of gravel on either side, without gates. Mr. Smith stated that the neighbors had expressed a preference for grass as opposed to pavement on the emergency access road.

Ch. Pfaff called on Peer Review Consultant Phil Paradis of PSC Corp. to comment on the findings and recommendations on the proposal. Mr. Paradis identified the main points below:

- Provide information on the ownership rights to Wright Lane;
- Provide missing dimension along the right of way at northwest corner of lot 7 to confirm frontage;
- Provide backup indicating quantity and composition of earth material to be exported, imported or regraded.
- Provide notation on plan that states "The Town of Westwood is not required to plow snow on a street that has not been accepted by Town Meeting."
- Provide profile for the emergency access road;
- Provide site distance measurements on plans;
- Explain why no park for recreation purposes is planned;
- Provide location of all trees greater than 10" or request a waiver; include a proposed tree line to delineate forested areas to be preserved.
- Show locations and connections for all private utilities as well as public on plans.
- Portions of the sewer main proposed along the emergency access road have less than the required 7 feet of fill over the pipe and will require a waiver.
- Relocate new hydrants;
- Waiver request needed to allow for construction of only one sidewalk instead of two, as required;
- Provide additional trees to meet the average 30' separation requirement; and provide three native street trees to be staggered throughout the site;
- Request a waiver to allow for construction of a retaining wall within the street line and include accommodation for future maintenance of wall;

- Recommended construction of open infiltration basins with (Low Impact Development) LID techniques;
- Recommended alternative designs to accommodate stormwater runoff at the emergency access road;
- Recommended relocation of catch basin and drainage manhole out driveway for 88 Lyons Drive and
- Provide conformance with the Massachusetts Stormwater Management Standards.
- Planning Board should add a condition to require inspection of all test holes.

Peter Zahka – attorney for David Spiegel, Trustee of Canton St. Realty Trust, provided a brief response to the report provided by Mr. Paradis. Mr. Zahka stated that he had a meeting with the neighbors regarding the surface of the emergency road and suggested that they would like pavers used instead of pavement. In addition, he mentioned the use of a gate between the street and the emergency access road; dedicated tree buffer would be added; upgrading Lyons Drive drainage system, improving the cul-de-sac of Lyons Drive. Mr. Zahka said that they would like to find a compromise between the neighbors and the developers.

Board Questions & Comments

- Questions were asked about the existing cul-de-sac and the proposed widening further north on Lyons Drive and whether the developer intends to build the road so as to be accepted by the Town in the future.
- Suggestions were made about the wetlands, a landscape retaining wall and the 35’ no-build area and the decreasing steepness of slopes.
- Proponent was asked to justify the request for the waiver to exceed the maximum length (500’) of a cul-de-sac.

Mr. Smith of Norwood Engineering presented a plan with the 26’ of pavement for the emergency access required to meet the subdivision standards. Ms. McCabe commented that this plan was not submitted with the application.

Public Comment:

D. Cronin, 45 Lyons Drive – submitted copy of a memo from Peter Zahka to David Spiegel and Lyons Drive property owners, dated 2/17/16 which memorializes the discussions and list of twelve proposed actions between David Spiegel and the Lyons Drive property owners. (A copy of this memo is available with these minutes.)

E. Chan, 83 Lyons Drive – expressed concerns about maintenance and increased traffic that could result from having a paved access road.

Mark Bourbeau of Hingham, MA, attorney for abutters; Feeney Brothers/University Avenue Norwood, LLC, who own the small sliver of land commented that the proponent has not reached out to either he or his clients about the possibility of granting access at the gate. He stated that this land is not part of an easement or right-of-way that allows the proposed road. The property owner would need to agree to any such proposal.

Unidentified resident, Lyons Drive - requested information about the timeline for the proposed extension of the gas line.

J. Martin, 65 Lyons Dr. – commented that this project is a positive thing for the neighborhood; said he is against paving the emergency access road.

H. Gordon, 44 Brookfield Rd. – asked questions about the parking garage and landscaping challenges.

M. Fitzhenry, 30 Brookfield Rd. – asked questions about the proposed conditions of the decision.

Board Questions & Comments

- A board member encouraged the Proponent to get acquire access to parcels as needed; file with the Conservation Commission and address the comments of Peer Review Consultant Phil Paradis.

Waiver Requests & Board Comments:

Ms. McCabe asked Board members to discuss the Applicant's requests for waivers:

- Waive the traffic study
- Waive the requirement for the centerline offset to Hemlock Street to allow the existing offset of 77.5' to be increase to 92.4'
- Waive the requirement for two sidewalks and allow one
- Waiver to exceed the maximum length (500') of the dead end street to 1,207' long.
- Waiver to located the trees on the plan greater than 10"
- And Waiver to provide for a park or parks in the subdivision.

Ms. McCabe provided the applicant with a letter from Proponent to the Planning Board to Request Continuance and Extension of Constructive Approval Date requesting a continuance of the public hearing to May 24, 2016 to address issues raised this evening, and to extend the constructive approval date to June 30, 2016. David Spiegel signed this document.

On a motion by Mr. Olanoff, and seconded by Mr. Rafsky, the Board voted 5-0 to continue the hearing to Tuesday, May 24th, at 7:30 p.m. in the Champagne Meeting Room, 50 Carby Street.

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

Proposal for exterior renovations, site and façade improvements at 301-315 Washington Street and construction of a new three-story building for first floor commercial and two stories of residential at 317 & 323 Washington Street.

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 April 7th:

- A bike rack has been added in front of the new building
- The dumpster has been relocated to allow re-angling of parking spaces.
- The parking spaces have been realigned to be angled at 60° and 45°. The revised site plan last revised April 6 meets the Board's parking design standards.
- The 5 ft. sidewalk has been extended to reach the dumpster from the proposed new building.
- The existing shrubs along the rear property line abutting 22 School Street are proposed to be removed to allow for a paved parking overhang.
- A 6 ft. high vinyl fence has been added along the rear property line adjacent to 22 School St. extending to the dumpster.
- Garage entrance ramp will be heated to help with icing conditions.
- Ramps are now shown on sidewalks down to accessible spaces.
- The island at the end of the north side of the parking has been changed to striping to allow for ease of trash removal and better turning for trucks and fire apparatus.
- Vehicle turnings movements have been provided to show circulation through the site and in the parking garage (see auto turns dated 4/7/17). The fire department has reviewed and determined that it's the bare minimum to maneuver through the parking lot.
- A conceptual signage summary and package calls for solid PVC core material with acrylic, HDU or PVC painted lettering and gooseneck lighting. The proposal is for the sign background colors and lettering to be determined by the tenants but maintain the same overall size and material for all businesses.

- The sidewalks at the two curb cuts on Washington Street have been redesigned to maintain the sidewalk height across driveway crossings shown on the grading and drainage plans. The sidewalks along School Street are presently flush with the parking lot and are not proposed to be raised.
- The garage ramp is shown with a 15.5% slope in the covered portion and 8% slope at the transition from the road covered portion.
- A walkway has been added to the south side of the new building.
- Roof plans, floor plans for all levels, and the elevations for all sides of the existing building at 301-315 Washington have been provided.
- A rear door has been added for commercial tenant access onto the sidewalk.
- Garage ramp sections have been submitted to demonstrate the proposed grading.
- A wall-mounted mirror has been added inside the garage at the bottom of the ramp.
- A 3.5 ft. guardrail has been added on both sides of the garage drive, extending from the building to the sidewalk, and an audible system will be installed with a sensor at the bottom of the ramp to be triggered by exiting vehicles
- The dumpster is shown in a 6 ft. enclosure but no detail has been provided. The Applicant should provide this as a condition of approval.
- The plans call for motion-activated 9 ft. long staggered gates across both lanes of the garage drive.
- All mechanical equipment is proposed to be recessed in the roof of the new building.
- A parking analysis describing the existing and proposed parking conditions, and updated parking counts, shows that there will be a total of 78 spaces associated with this project, including 69 on-site parking spaces and the 9 designated spaces in the municipal lot which were previously allocated for Wild Blossom.

Ms. Loughnane presented a parking analysis chart showing how many total spaces are available at various properties and how many were filled and how many were vacant at various times. The overall finding is that there is actually more parking available than one might first believe and that the properties that have insufficient parking are actually the Town owned properties – the School Street Playground and Morrison Field. These recreational uses do not have enough parking which has caused cars to park illegally and gives the perception that the businesses are not providing enough parking.

The Applicant met with the Chairman of the Historic Commission on April 2, 2016 to walk through the Blue Hart Tavern Building at 317 Washington. Based on the preliminary review of the building, it appears to be structurally sound to be relocated. The Applicant is in the process of having a professional review the stability of the building to see if it can be moved to his property at 9 School Street as a temporary location. This proposal requires a separate EIDR by the Planning Board. Provisions for restoration and long-term use of the building should be discussed.

Ms. McCabe commented that she provided a draft approval with suggested conditions (17 pages long with 35 conditions) but since this is a special permit, four affirmative votes are needed and the one board member is missing. Since one of the board members was not present the Board decided to review the language of the conditions further. Edits to the draft conditions were to: have the signage be “wooden in appearance”, not regulate the use of the parking spaces in the underground garage, permanently preserve the Blue Hart Tavern. The applicant should also submit a final dumpster detail without chain link fencing, add the accessible ramps at the ends of the sidewalk, and remove the canopy light fixture from the lighting plan from an earlier version of the plan.

On a motion by Mr. Montgomery and seconded by Mr. Olanoff, the Board voted 4-0 in favor to close the hearing which ends the public testimony portion.

On a motion by Mr. Montgomery and seconded by Mr. Olanoff, the Board voted 4-0 in favor to continue member deliberation and vote to Monday, April 25th at 7:30 p.m. in the Champagne Meeting Room, 50 Carby Street.

Programming Policies & Requirements - University Station Plaza Area

The Board received a copy of this document for review, which establishes requirements for programming of events for the plaza area located between Target and Wegmans stores at University Station. The requirements will be enforced by the Director of Community and Economic Development with consultation from the Police and Public Safety Departments and the Planning Board when needed.

On a motion by Mr. Montgomery and seconded by Mr. Wiggin, the Board voted 4-0 to approve the Programming Policies and Requirements for University Station Plaza Area as amended by changing the minimum clearance to five (5) ft. from three (3) ft. and that any signage be limited to the plaza area only.

Continued Public Hearing for Planning Board Rules and Regulations Governing the Subdivision of Land

Ms. McCabe provided Board members with a draft copy with changes tracked of the current Subdivision Regulations Governing the Subdivision of Land which was edited in 2012 and 2013. Also provided was a memo summarizing 2016 suggested changes from the current regulations. Ms. McCabe reported that the review of *Section 4 – Design Standards* is in progress and forthcoming.

On a motion by Mr. Montgomery and seconded by Mr. Olanoff, the Board voted 4-0 to continue this public hearing to Monday, April 25th at 7:30 in the Champagne Meeting Room at 50 Carby Street.

Other Business:

Review and Signing of Decisions from Prior Meetings or Hearings

Ms. McCabe prepared the signature pages for the Earth Material Movement Special Permit, for 71 Oak Street which was signed by the Board.

Approval of Minutes:

Ch. Pfaff requested an edit to the minutes of March 28, 2016, to add his name to the list of board members in attendance at the joint meeting with the Finance and Warrant Commission.

On a motion by Mr. Montgomery and seconded by Mr. Olanoff the Board voted 4-0 to approve the minutes of March 28, 2016 as edited.

Adjournment:

Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin, the Board voted unanimously in favor to adjourn the meeting at approximately 11:00 p.m.

List of Documents

• Memo to PB from A. McCabe dated 04/08/16 re: March 15 Meeting Summary	PDF
• Memo from J. Bina to A. McCabe dated 04/06/16 re: EMM SP 71 Oak Street	PDF
• Building Permit Plan of Land – 71 Oak Street, Revised 04-07-16	PDF
• Memo from J. Bina to A. McCabe dated 04/11/16 re: EMM SP 71 Oak Street – Revised Plan	PDF
• Ltr. To A. McCabe from P. Paradis of PSC, dated 04/07/16 re: Peer Review of Westwood Estates	PDF
• Exhibit Plan 1 – Westwood Estates Definitive Subdivision – Possible Lyons Drive Turnarounds	PDF
• Email from P. Sicard to A. McCabe, dated 04/07/16 re: Westwood Estates Definitive Subdivision	
• Memo from L. Shea to A. McCabe, dated 02/22/16 re: Westwood Estates Definitive Subdivision	PDF
• Letter from K. Catrone to A. McCabe, dated 04/06/16 re: Westwood Estates Definitive Subdivision	PDF
• Memo from J. Bina to A. McCabe dated 04/06/16 re: Westwood Estates Definitive Subdivision	PDF
• Email from B. Scoble to A. McCabe dated 04/11/16 re: Westwood Estates Definitive Subdivision	PDF
• Copy of signed Letter to PB from Applicant (D. Spiegel) re: Request for	PDF

Continuance/Postponement/Extension of Constructive Approval Date for Westwood Estates Definitive Subdivision	
<ul style="list-style-type: none"> Memo to Planning Board from A. McCabe dated 04/17/16 re: 301-323 Washington St Special Permit 	PDF
<ul style="list-style-type: none"> Copy of letter from Peter Zahka to David Spiegel and Lyons Drive property owners, dated 2/17/16, Westwood Estates Definitive Subdivision 	PDF
<ul style="list-style-type: none"> Email to A. McCabe from P. Paravalos, Historical Commission dated 04/02/16 re: Blue Heart Tavern 	PDF
<ul style="list-style-type: none"> Email to A. McCabe from M. Reardon, Deputy Fire Chief dated 03/28/16 re: Turning Radius for 301-323 Washington Street 	PDF
<ul style="list-style-type: none"> Fire Truck Auto-turn Plan by Bayside Engineering dated 04-07-16 for 301-323 Washington Street Redevelopment 	PDF
<ul style="list-style-type: none"> Memo to A. McCabe from McKay Architects dated 04/07/16 re: Responses to BETA's comments of 03/31/16 for 301-323 Washington Street Redevelopment 	PDF
<ul style="list-style-type: none"> Norwood Engineering - Revised Site Plan 04/06/16 301-323 Washington Street 	PDF
<ul style="list-style-type: none"> Islington Parking Analysis submitted by N. Loughnane 	PDF
<ul style="list-style-type: none"> Programming Policies & Requirements - University Station Plaza Area, Feb. 2016 w/Exhibit A (Plan) 	PDF
<ul style="list-style-type: none"> Memo to PB from A. McCabe dated 4/11/16 re: Subdivision Rules & Regulations Update & Summary 	PDF