

**Westwood Planning Board  
Meeting Minutes  
September 2, 2014  
Library Meeting Room  
660 High Street  
7:30 PM**

**Attendance & Call to Order:**

Ch. Rafsky called the meeting to order at 7:30 p.m. WestCat TV was present and granted permission to videotape the meeting.

*Present:* Planning Board members: Steve Rafsky, Steve Olanoff, Jack Wiggin, Bruce Montgomery and Chris Pfaff. Also present Town Planner Nora Loughnane and Planning & Land Use Specialist Janice Barba, who recorded the minutes.

**Consideration of Proposed ANR for 32 Birch Street**

**Present:** Don Myers, Norwood Engineering on behalf of the Applicant.

**Summary**

This ANR plan involves the creation of a new house lot with frontage on East Street. Both lots comply with the area and frontage requirements of the Zoning Bylaw, and have adequate actual access from the lot frontage.

**Board & Town Planner's Discussion:**

- The application and plan are complete and in conformance with applicable standards.

**Public Comments:**

- None.

**Motion/Action Taken:**

Upon a motion by Mr. Wiggin and seconded by Mr. Pfaff the Board voted unanimously in favor to endorse the ANR plan as presented.

**Consideration of Proposed ANR for 67 and 77 Margery Road**

**Present:** Engineer Pat Arnold, for the Applicant.

**Summary**

This ANR plan involves the adjustment of lot boundaries to correct a driveway encroachment. Both lots comply with the area and frontage requirements of the Zoning Bylaw, and have adequate actual access from the lot frontage.

**Board & Town Planner's Discussion:**

- The application and plan are complete and in conformance with applicable standards.

**Public Comments:**

- None.

**Motion/Action Taken:**

Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin the Board voted unanimously in favor to endorse the ANR plan as presented.

**Update on University Station Development**

Paul Cincotta of NE Development gave a brief update on project construction status and displayed aerial photographs of the site taken in August.

**Highlights:**

- *Status of the onsite construction work:* All retail buildings are undergoing some form of construction. Retail buildings outside Target and Wegmans have exterior walls and are roofed, steel is being installed. Lifetime

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Fitness is 50% erected; Hanover Residences – parking garage is complete, initial residential building is 2-3 stories high – framing is underway; Bridges Assisted Living – foundation is installed, elevator shaft constructed and framing of walls will follow.

- *Status of the offsite construction work:* University Avenue paving, curbing and sidewalk and median installation is ongoing from Harvard St. to Blue Hill Drive. NStar, as promised, has installed the new gas main and service connections. The deadline for installation of landscape strips, planting and final paving is November 1<sup>st</sup>.
- *Opening Dates:* Core Retail: March 2015; Target – March 2015; Wegmans – Summer 2015; small shop spaces are 90-95% leased, only 6 spaces remain without leases but all should be leased and opened in March/April. Hanover Residences – September 2015 and will take six months to occupy; Lifetime Fitness – Memorial Day/June 2015; Bridges Assisted Living - June 2015; and the two restaurants closest to Blue Hill Drive are expected to open in late summer 2015.

**Board Discussion:**

- When is the widening of University Avenue from Harvard Street to Canton Street scheduled to take place? (September/October)
- When will the Developer announce the tenants of the Project? (Many of the retailers are known but a formal announcement won't be made until the end of the year.)
- When will the road direction switch, southbound? (This will be discussed with the town engineer at next US Staff meeting.)
- Are the restaurants delegated to the standalone buildings only? (There are number of food opportunities on the Target/Wegmans side of the project but will not be standalone locations.)
- What is the proposed staging configuration for 95N ramp? (Bids are being evaluated now for the Canton/University Avenue intersection; Blue Hill Drive ramp; Dedham Street Corridor Improvements; getting ready to select contractors.)

**Public Comments:**

- None.

**Motion/Action Taken:**

None needed.

**Consideration of Proposed Modification to Conformance Determination for Bonefish Grill to Include Revised Plans with Access to 190 University Avenue**

**Summary**

- Prior to the May 2013 Town Meeting approval of the UAMUD Bylaw and Master Development Plan for University Station, the Proponents were working with the owners of 190 University Avenue (Ryan Gutters) to develop a secondary driveway access to 190 University Avenue to permit left turns into and out of that property.
- Final plans for that secondary driveway through the Bonefish Grill parcel were developed and approved by the Conservation Commission.
- Tonight the Proponents are requesting the Planning Board's modification of the Conformance Determination for Bonefish Grill to replace the previously approved site plan with the final revised site plan showing the driveway access for 190 University Avenue. (A copy of these plans is available with these minutes.)

**Board Discussion:**

- Who will own this road? (University Station will maintain the roadway which will be a private driveway.)

**Public Comments:**

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- None.

**Motion/Action Taken:** *See text below.*

**TOWN OF WESTWOOD  
COMMONWEALTH of MASSACHUSETTS**



**PLANNING BOARD**

**CERTIFICATE OF VOTE  
Minor Modification to Bonefish Grill Conformance Determination**

Motion made by Planning Board member Christopher Pfaff, as follows:

I move that, pursuant to Section 9.8.12.2.1 of the Westwood Zoning Bylaw effective May 6, 2013, the Planning Board:

- (1) Vote to approve a minor modification to the May 13, 2014 Conformance Determination for Core Development Area 4, as shown on the plan entitled "University Avenue Mixed Use District, Master Development Plan," prepared by Tetra Tech, last revised March 22, 2013, which was approved pursuant to Article 1 of the May 6, 2013 Special Town Meeting and is on file with the Town Clerk and the Planning Board (the "Conformance Determination"); and
- (2) Make the following findings:
  - a. The documents on file with the Planning Board and the Westwood Town Clerk and in oral and written reports and other documentation delivered by the Town's consultants and the Proponent's consultants, including without limitation plans entitled "Bonefish Grill Conformance Determination Submittal, University Station – University Avenue, Westwood Massachusetts," prepared by Tetra Tech, dated March 21, 2014 and revised through August 26, 2014 (including revisions to Sheets C-111, C-121, C-131, and L-106.3 to allow for secondary access to 190 University Avenue); the undated document entitled "Bonefish Grill 'Greenfield' Exterior Finishes"; the memorandum dated March 21, 2014, from Nathan Cheal of Tetra Tech to Paul Cincotta of Westwood Marketplace Holdings LLC regarding Bonefish Grill Stormwater Management Design; the memorandum dated April 14, 2014 by William P. Scoble, Fire Chief, to Nora Loughnane, Town Planner, regarding Bonefish Grill Conformance Determination; the electronic communication from Linda R. Shea, Health Director to Nora Loughnane, Town Planner, regarding Conformance Review for Bonefish Grill; the memorandum dated April 17, 2014 by Merrick Turner of BETA Group, Inc. to the Planning Board regarding Bonefish Grill at University Station Conformance Review; the memorandum dated May 7, 2014; from Nathan Cheal of Tetra Tech to Paul Cincotta of Westwood Marketplace Holdings LLC regarding University Station Bonefish Grill Conformance Determination, Response to Peer Review Comments; and the memorandum dated May 12, 2014 by Merrick Turner of BETA Group, Inc. to the Planning Board regarding Bonefish Grill

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at University Station Conformance Review, and the memorandum dated May 13, 2014, from Nora Loughnane, Town Planner, to the Planning Board (collectively, the "Core Development Area 4 Final Plans and Materials"), materially conform to the Master Development Plan and supporting materials on file with the Planning Board and the Town Clerk;

- b. The Core Development Area 4 Final Plans and Materials otherwise comply with the standards and requirements set forth in Section 9.8 of the Westwood Zoning Bylaw; and
- c. The Conformance Determination remains subject to the conditions suggested in the memorandum dated May 13, 2014, from Nora Loughnane, Town Planner, to the Planning Board, some of which have been satisfied as of the date hereof.

**Motion seconded by Planning Board Member John Wiggin**

**Record of Vote:**

The following members of the Planning Board voted to issue this minor modification to Bonefish Grill Conformance Determination: Bruce H. Montgomery, Christopher A. Pfaff, Steven H. Olanoff, John J. Wiggin, and Steven M. Rafsky.

The following member of the Planning Board voted to deny this minor modification to Bonefish Grill Conformance Determination: None.

**Certification:**

The undersigned hereby certifies that the above is a true and complete copy of the Board's decision and that said decision and any plans and materials referred to therein have been filed with the Planning Board and the Town Clerk.

**Consideration of Proposed Alternative Sign Package for University Station Development  
Summary**

This request has been reviewed by staff and peer review consultants, who agree in principal with the proposed signage package, however they requested that further on developing the appropriate language to describe the proposed alternate signage requirements is needed.

**Presentation:**

Paul Cincotta from NE Development informed the board that TetraTech is working through the final 3-4 items identified by BETA associated with how wall signs are measured (longest façade); clarification on window signs and graphics and how these signs are treated, whether with glass is covered and under what circumstances it would be allowed in the back of house, for example. In some instances it is on a tenant by tenant basis to try to minimize what is viewable into the space from the University Avenue side. Some areas will need to be screened.

**Board & Town Planner's Discussion:**

- Ms. Loughnane informed the Board that a warrant article allowing for such amendment to the signage package has been advertised for the Board's consideration at its Zoning Amendment Public Hearing on September 30<sup>th</sup>.
- This discussion and final language is expected at the next meeting of the Planning Board on September 30<sup>th</sup> at the Library Meeting Room at 7:30 p.m., 660 High Street.

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**Public Comments:**

None.

**Motion/Action Taken:**

None needed.

**Continuation of Public Hearing to Consider Application by CRP, Development LLC for Proposed Senior Residential Development – Four Seasons Village at Harlequin Stables – 215 High Street**

**Town Planner's Summary:**

- A revised concept plan was received from the Proponents last week, proposing the construction of 3 estate-style buildings, each containing ten, 2-bedroom units.
- No dimensions were provided on the concept plan to allow for a determination of the length of the proposed site drive, but the drive appears to exceed 500 feet. A "Fire Access Loop" is shown on the plan to provide an alternate route of access behind the second of the three buildings.
- Two garage spaces are provided for each dwelling unit, along with at least 10 open-air, visitor parking spaces adjacent to each building.
- Four of the proposed units in each building, or 12 of the total 30 units, are shown to include dens.

**Presentation by Jerry Rappaport – CRP Development, LLC**

- Work has continued on revising site plans to create a building program and design consistent with the surrounding neighborhood and at an appropriate density.
- The latest site design has been previewed with Fire Chief Scoble who has indicated that this new plan addresses many of his concerns.
- In response to feedback from the Planning Board it created a design concept that includes three-mansion estates/French villas that minimize the number of buildings, maximizes open space and buffer areas from the neighbors and minimizes the amount of impervious surface. This design will be more consistent with the surrounding homes in the neighborhood. May consider changing the name of the project to "Four Seasons Estates".
- Building and unit layouts are still a work in progress as the exterior façade and roof lines are coordinated.
- Homes will have one floor living with an airy great room, two bedrooms and a home office (with no closets), ranging in size from 1,750-1,985 sq. ft. and will have elevators to a two-car private garage with storage.
- With the increased open space outside features will include community garden(s), pedestrian and bike paths, a gazebo with a barbecue area/fire pit, bocce court and shuffleboard.
- Also expect to have shared community facilities divided among each of the mansions ranging from an exercise gym/yoga facility, a community activity room, dining and event/medium room.

**Board Discussion:**

- A board member commented that the revised concept plans are quite different.
- A board member commented that there shall be no more than two bedrooms and if there is a den or home office, there shall be no closet space and not be able to be turned into a bedroom.
- Ch. Rafsky read a letter from resident Joanna Kjellman, an abutter of the proposed SRD. (A copy of this letter is available with these minutes.)
- A board member asked how these plans meet the 500' maximum road requirement. (Mr. Rappaport said that a loop road will be constructed around the back and will meet the 500' requirement. Mr. Terry added that they are also considering the addition of a second egress.)
- Ch. Rafsky reiterated that the purpose of tonight's meeting is to give the developer an idea of what the next direction of the project should be, and whether progress is being made. He added that due process is working and it will not come to an end tonight.

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- Ch. Rafsky reminded the public that the plans submitted tonight are still in a conceptual form and not fully engineered. The plans that were originally submitted by the developer at the initial opening of the public hearing process were fully engineered and at that time the Planning Board rejected those plans. Meantime, the developer decided to amend its application and plans while working with the board until the board determines that they are at a point in which they can be reviewed by the peer review consultants.
- A board member stated that a determination on density is not going to be made in terms of attrition but on compatibility with the neighborhood in which the project is being placed. This is a function of understanding environmental impacts of the project.
- A board member commented that the large estate design is better in terms of compatibility with the neighborhood, although apartments are not listed as a type of permissible dwellings in the bylaw; traffic impacts are more complicated than just numbers and counts and more about location and High Street itself; lastly he added that this special permit process is discretionary by the Planning Board.
- A board member wants to see these plans showing all of the abutting properties with the dwellings on them.
- A board member commented that the applicant has come a long way with the plans but figures don't lie and liars don't figure. This remains to be a very difficult parcel and this process will continue to the September 30<sup>th</sup> meeting and asked if the applicant if it can have engineered plans by then.
- The applicant stated that it needed more time and October 14<sup>th</sup> was suggested as a continued date of the hearing.
- A board member stated that he has a significant number of issues and concerns with these plans and not sure if any engineered plans will resolve them.
- A board member stated that the only thing the Board could vote on would be the originally submitted plan.
- Ch. Rafsky said that at least two board members are doubtful that any additional changes to the plans will resolve their issues and concerns.
- Ch. Rafsky asked the developer if they want to come back with revised plans. (yes)
- A board member asked a fellow member if he would require the developer to develop another means of egress onto High Street. (The other board member responded that he does.)
- A board member stated that 30 units for this project is still too many; wants dens eliminated and that there are too many garages and parking spaces proposed.)

**Public Comments:**

- L. Legere, Attorney for WCZI – commented that he is unclear about the number of units that are being presented. He said that this proposal remains too dense for the neighborhood; is concerned that there is only one means of egress and the impact on traffic and visual impacts to neighboring properties.
- A. Canon, Fox Hill Village – what is the frontage of the project and how will that affect already existing traffic congestion, water and sewer deficiencies? (Ms. Loughnane clarified that 500' is not the frontage requirement but the length of the project driveway.)
- J. Glower, Fox Hill Village – How will water needs be addressed here? (Mr. Rappaport said that DWWD has confirmed that there is enough water for the project. A sewer easement is available as well as a connection on Route 109.)
- R. Chiurri, 165 High Street – This is a terrible idea.
- K. Goldman, 129 Summer Street – is not in favor of this project in this neighborhood for many reasons.
- P. Grant, Fox Hill Village – is not in favor of this project due to the impact it will have on traffic.
- B. Soule, 233 High Street – is not looking forward to headlights shining in his windows; decreased water pressure and increased traffic.
- L. Gronick, Fox Hill Village – said that senior citizens drive slowly and uncertainly and can't see turns happening across all the lanes of traffic. This is ridiculous.

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- R. Portnoy, Fox Hill Village – asked why the town's traffic engineer has not commented again on the project. (Ch. Rafsky said the peer review consultants have not responded because they cannot comment on conceptual plans.)
- R. Dewolfe, 206 Grove Street – stated he is one of the founding parties of the WCZI and understands the right of an applicant to receive due process but he is not in favor of this project in this neighborhood.
- B. Delisle, 96 Skyline Drive – Can the Planning Board assure the public that the town's peer review consultants will conduct its own thorough traffic study and to not just comment on the study previously submitted by the applicant? (Ch. Rafsky thanked Ms. Delisle for bring up this point and explained that the peer review consultant would most assuredly present its own traffic study to the Planning Board.)

**Motion/Action Taken:**

Upon a motion by Mr. Montgomery and seconded by Mr. Pfaff, the board voted unanimously in favor to continue this hearing until Tuesday, October 14<sup>th</sup> at 7:30 p.m., in the Champagne Meeting Room, 50 Carby Street and if a change of venue is necessary, the location will be posted and it will not be heard until 8:00 p.m. to allow time for those who went to a different location.

Ch. Rafsky encouraged the public to routinely check the Planning Board's website for updates.

**Public Hearing to Consider Application by Bell Atlantic d/b/a Verizon Wireless, for Environmental Impact Design Review Approval for a Wireless Communication Facility Pursuant to Sections 7.3 & 9.4 of the Westwood Zoning Bylaw – First Parish of Westwood United Church at 248 Nahatan Street**

Ch. Rafsky opened the meeting by reading the legal notice of public hearing.

**Presentation & Summary**

Attorney Chris Swiniarski was present on behalf of Verizon Wireless and gave a brief overview of the proposed Wireless Communication Facility at First Parish Church for the purpose of enhancing wireless and data transmission coverage and to fill gaps in coverage for those living or traveling on Clapboardtree St., Nahatan St., Thatcher St. and Gay St. Daniel Brown, Radio Frequency Engineer was also present to answer any questions.

- Six antennas will be mounted inside the existing church steeple and the existing louvers of the steeple will be replaced with new fiberglass louvers;
- Associated cables will be installed inside the existing church building, underground, and inside the existing garage (including a standby natural gas-fueled generator);
- One existing overhead garage door will be removed and a new standard entry door and electric meter will be installed;
- A new 3' x 3' x 3' doghouse cable box will be installed at ground level in front of the existing garage;
- A new, solid wooden stockade fence equipment enclosure will be installed behind the existing garage building which will screen two HVAC units.

**Board Discussion:**

- A board member asked Ms. Loughnane why this installation requires an Environmental Impact and Design Review application. (Ms. Loughnane responded that this project involves two exterior alterations which as noted in Section 9.4.5.2, must receive WCOD EIDR approval.)
- A board member asked if this facility will have room for expansion to allow for other carriers to locate here. (Applicant responded that there is no room for co-location for other carriers.)
- Ms. Loughnane reported that as a condition of this approval, Health Director Linda Shea has requested that the Planning Board require submission of a noise study to confirm that there will be no noise above background that may affect the neighborhood.

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**Public Comments:**

- J. Sims, resident of 165 Thatcher Street asked what the height of the fence will be as his property is located directly next to the church's garage. (Applicant stated that the fence will be 7'6" tall.)
- D. Hyde, resident of 15 Martingale Lane and a member of the First Parish Church Board of Directors stated that the Church is in favor of this installation.

**Motion/Action Taken:**

Upon a motion by Mr. Montgomery and seconded by Mr. Pfaff, the board voted unanimously in favor to approve the Application by Bell Atlantic d/b/a Verizon Wireless, for Environmental Impact Design Review Approval for a Wireless Communication Facility with the standard conditions and the condition to require submittal of an ambient noise study.

Upon a motion by Mr. Montgomery and seconded by Mr. Pfaff, the board voted unanimously in favor to close this hearing.

**Public Hearing to Consider Application by Sprint Realty Company, for Environmental Impact Design Review Approval for a Wireless Communication Facility Pursuant to Sections 7.3 & 9.4 of the Westwood Zoning Bylaw – Dedham Westwood Water District Tanks at 213 Fox Hill Street**

Ch. Rafsky opened the meeting by reading the legal notice of public hearing.

**Presentation & Summary**

Dan Formoso was present from Tower Resource Management on behalf of Sprint Wireless. Mr. Formoso gave a brief overview of the proposed installation of replacement antennas and remote radio heads for the purpose of updating its technology to increase speed and bandwidth, at the Wireless Communication Facility at the DWWD Tanks.

- Remove nine antennas and install nine antennas in their place at an elevation of 76 feet, with three new remote radio heads and associated hybrid cables mounted inside the existing reinforced cable tray.
- Replacement antennas will be designed to match the existing antennas and mounts and will be similar in dimensions and height of the existing antennas.
- There will be no changes to the existing equipment cabinet.
- The total number of antennas will remain at 12.

**Board Discussion:**

- There was a brief exchange of questions and answers between the Board and the Applicant.

**Public Comments:**

- A. Samel, resident of 229 Fox Hill Street commented that in the past there have been representatives from the various wireless communication carriers who have trespassed on his property. (Ch. Rafsky said that there is no need for this as there is an easement and furthermore that is trespassing. He suggested that if it happens again the resident should call the police.)

**Motion/Action Taken:**

Upon a motion by Mr. Montgomery and seconded by Mr. Pfaff, the board voted unanimously in favor to approve the Application by Sprint Realty Company, for Environmental Impact Design Review Approval for modification of the existing Wireless Communication Facility with the standard conditions and the condition to require submittal of an ambient noise study.



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Upon a motion by Mr. Montgomery and seconded by Mr. Pfaff, the board voted unanimously in favor to close this hearing.

**Public Hearing to Consider Application by Sprint Realty Company, for Environmental Impact Design Review Approval for a Wireless Communication Facility Pursuant to Sections 7.3 & 9.4 of the Westwood Zoning Bylaw – Westwood Business Centre at 690 Canton Street**

Ch. Rafsky opened the meeting by reading the legal notice of public hearing.

**Summary & Presentation**

Dan Formoso present from Tower Resource Management on behalf of Sprint Wireless gave a brief overview of the proposed installation of new antennas for the purpose of upgrading their existing telecommunications systems.

- Add three new antennas and associated cabling;
- Mount three Remote Radio Heads behind the antennas and to retrofit existing equipment cabinets and battery strings within the existing lease area.
- These modifications will allow for better voice quality and data speeds for customers in the area.

**Board Discussion:**

- There was a brief exchange of questions and answers between the board and the Applicant.

**Public Comments:**

- None.

**Motion/Action Taken:**

Upon a motion by Mr. Montgomery and seconded by Mr. Pfaff, the board voted unanimously in favor to approve the Application by Sprint Realty Company, for Environmental Impact Design Review Approval for modification of the existing Wireless Communication Facility on the roof of the Westwood Business Centre, with the standard conditions and the condition to require submittal of an ambient noise study.

Upon a motion by Mr. Montgomery and seconded by Mr. Pfaff, the board voted unanimously in favor to close this hearing.

**Consideration of Security Agreement and Release of Covenant for 600 Clapboardtree Street**

**Town Planner's Summary:**

Town Counsel Tom McCusker worked with Ned Richardson to develop a suitable arrangement for the provision of adequate surety to allow for the board's release of covenants. Town Counsel recommended that the Board vote to release the covenants upon his acceptance of the final surety documents. If the Board so votes, it is recommended that board members sign a release to be held in escrow. Once Town Counsel is satisfied that all is in order, he will then release the document releasing the covenants.

**Board Discussion:**

There was a brief discussion.

**Public Comments:**

None.

**Motion/Action Taken:**

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Upon a motion by Mr. Wiggin and seconded by Mr. Pfaff, the board voted unanimously in favor to approve the Security Agreement and Release of Covenant for 500 Clapboardtree Street.

**Consideration of Release of Tri-partite Agreement and Acceptance of Alternate Surety for Colburn School Building**

**Summary & Board Discussion:**

- Most of the work at the Colburn School Building has been completed and approved. The remaining items include finish painting, landscape work, and the replacement of the 20-foot high light fixture facing the Malster property with a 12-foot high ornamental fixture. All of these items are expected to be completed in October.
- Coffman Realty has requested that the Board release the \$19,350.00 tri-partite agreement and replace it with a check or passbook account in the amount of \$5,893.56. Town Engineer Jeff Bina has confirmed that this amount is sufficient to cover all remaining work. If the Board is so inclined, members should vote to release the tri-partite agreement upon Town Counsel's approval of a check or passbook account.

**Public Comments:**

None.

**Motion/Action Taken:**

Upon a motion by Mr. Montgomery and seconded by Mr. Olanoff, the board voted unanimously in favor to approve the Release of Tri-partite Agreement and Acceptance of Alternate Surety for Colburn School building.

**NEW BUSINESS**

None.

**Adjournment:**

Upon a motion by Mr. Wiggin and seconded by Mr. Olanoff, the board voted unanimously in favor to adjourn the meeting at approximately 10:20 p.m.

**Next Meeting:**

Tuesday, September 30<sup>th</sup> at 7:30 p.m., Champagne Meeting Room, 50 Carby Street.

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**List of Documents:**

Bonefish Grill Conformance Determination Submittal Plans Sheet C-111, C-121, C-131, L-106.3	PDF
190 University Avenue Plans – Sheet: Access Alternatives, Shared Driveway Plan	PDF
Memo to N. Loughnane re: EIDR for 213 Fox Hill Street, 690 Canton Street, 248 Nahatan Street re: requirement for noise study	PDF
600 Clapboardtree Street – Estimate of Construction Costs; Draft of Performance Bond – Secured by Deposit or Bankbook	PDF
215 High Street – cover letter to PB dated 08-28-14 & revised site plans	PDF
215 High Street – letter from resident J. Kjellman to PB	PDF