

**Westwood Planning Board
Meeting Minutes
February 28, 2012
50 Carby Street
7:30 PM**

Board members present: Ch. S. Rafsky, S. Olanoff, J. Wiggin, C. Chafetz and B. Montgomery.

Staff present: N. Loughnane, Town Planner and J. Barba, Planning & Land Use Specialist, recorded the minutes.

Special Counsel, Dan Bailey

Ch. Rafsky called the meeting to order at 7:42 p.m.

Consideration of Proposed Landscape Restoration Plan for Dementia Care Cottages at Fox Hill Village – 10 Longwood Drive
Fox Hill Village Executive Director Tony Amico was present before the board to discuss a landscape restoration plan addressing the extensive land disturbance and removal of vegetation along Route 109 which occurred during the installation of utilities for the Dementia Care Cottages at Fox Hill Village.

Mr. Amico is seeking the board's approval of the landscape restoration plan so that the project is eligible to receive a Certificate of Occupancy from the building commissioner.

The landscape restoration plan will include:

- New loam and seeding on areas currently disturbed.
- Nine new trees planted in the two openings of disturbed area.

Discussion highlights:

- Negative impacts of vegetation disturbance on the historic Town Pound including the placement of two large boulders at the site
- Required restoration of all disturbed areas with loam and seeding on either side of the gravel driveway and leading to the Town Pound.
- Scheduled a site walk by the Planning Board for Tuesday, March 6th at 7:30 a.m. to view the area of disturbance and the restoration.

Upon a motion by Mr. Montgomery and seconded by Mr. Olanoff the board voted unanimously in favor to accept the landscape restoration plan for Fox Hill Village without requiring a bond and to expedite the Certificate of Occupancy.

Continuation of Public Hearing for Consideration of an 11-buildable lot Definitive Subdivision to be known as Morgan Farm Estates Subdivision & for Consideration of the Modification of an 8-buildable lot Definitive Subdivision known as Powissett Estates Subdivision, and for Consideration of any Alternative Subdivision Plan submitted by the Applicant – Wall Street Development

Continuation of Public Hearing for Consideration of Open Space Residential Development (OSRD) Application for Morgan Farm Estates - Wall Street Development

Ch. Rafsky reopened both public hearings at approximately 8:15 p.m.

Ch. Rafsky provided an update on the status of ongoing discussions about various acquisition options, including a possible land swap with Hale Reservation. Following a meeting of Ch. Rafsky, Ms. Chafetz, Ms. Loughnane, Pat Ahearn, Eric Arnold and Juanita Allen Kingsley (both from Hale Reservation) and Mr. Petrozzi, two alternative plans have been proposed; one involving an exchange of land with Hale Reservation and one without.

Mr. Petrozzi discussed the plan involving an acquisition of 4.7 acres of land from Hale Reservation with a consolidated building density of 10 lots with 14.5 acres will remaining as undeveloped conservation land provided to Hale, not requiring any secondary emergency access road.

At this point, the board took a recess from this hearing to move onto a discussion of proposed zoning amendments for 2012 Annual Town Meeting.

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Discussion of Proposed Zoning Amendments for 2012 Town Meeting Warrant

The purpose of this discussion is to update the board members on the proposed zoning amendments which were discussed at the Finance Commission's public hearing held the night before (February 27, 2012).

Ms. Loughnane read through the legal notice of public hearing of the proposed zoning amendments scheduled for March 13, 2012. (The full text of the legal notice is available with these minutes.)

Below is a list of comments for each Zoning Amendment article.

Article #1 – a board member asked if all parcels have been identified in this district and Ms. Loughnane confirmed that they have.

Article #2 – no comments

Article #3 – board members asked how the number of spaces is triggered - Question about one off-street parking space for every 333 sq. ft. of floor area - agreement that more discussion is needed.

Article #4 – Ms. Loughnane said she will provide diagrams at the March 13th public hearing in order to better illustrate this amendment. She noted that the board may waive this requirement all together if there is undue hardship. A suggested was made suggesting removing the word "undue". Dan Bailey said that this language will be very hard to hold up on appeal.

Article #5 – This section has been rearranged, though not by sign type but by zoning district. Video Media Display: needs to be defined whether these are allowed or not. Changeable electronic municipal signs – Ms. Loughnane said a member of the Board of Selectmen did not agree with this type of sign. Board members agreed that they are not sure that they will support this amendment.

Article #6 – this was proposed by the EDAB last year but withdrawn. It has again been brought to the Board for reconsideration. Chris McKeown informed Ms. Loughnane that the EDAB would support this article if the FAR excluded only atriums and lobbies. Ch. Rafsky suggested that McKeown identify area towns that have adopted this definition of Floor Area Ratio.

Article #7 – board members agreed this section has a better definition. Delete section 7.3.13 Appeals – Mr. Bailey said this amendment was initiated by the Westwood Station permitting process and there is a lot of room for interpretation. He encouraged board members to reconsider deletion of this section. Town counsel recommended this deletion. Board members asked for a letter with an explanation of this from town counsel.

Article #8 – Ms. Loughnane said she will work on an additional analysis on the yield calculation so as to reach a more equitable relationship between the number of lots and open space.

Article #9 – these edits provide very broad guidelines and the most flexibility

Article #10 - no comments

Article #11 – withdrawn

Article #12 – Four new parcels have been added to the WCOD 1. Board members agreed there are some locations that may need to be reconsidered – Westwood Cemetery, Westwood Lodge, Carby Street. Board members agreed to have more discussion on this article during the public hearing.

Development Standards – significant changes were added to increase the standards to be met by the Applicant. See 9.4.7.1 through 9.4.7.15. Town counsel will review these changes.

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Article #13 – no comments

Article #14 – Attorney Dan Bailey was present to discuss these amendments as being proposed in preparation for the permitting process for any new project slated for University Avenue. Mr. Olanoff asked the word “final” to be removed. Ms. Loughnane disagreed and said the same approval is for preliminary plans plus all phases following that and she said one permit will be approved as final. For Percentage of Residential Units: Mr. Olanoff said there are some redundancies in this language. Mr. Bailey said the purpose of the language is to provide authority to the board to require preliminary plans and construction drawings for the phase about to be started. Board members agreed that more discussion is necessary.

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This discussion resumed at 10:15 p.m.

Ms. Loughnane said she intends to work on draft language for the conditions to grant OSRD/EIDR approval. She will have town counsel review this language, provide a copy to the applicant and to the board and is hopeful that a decision could be recorded on March 13th. In addition the votes taken on 10/11/11 and 11/01/11 may need to be consolidated into this decision. A condition will include waiver of section 8.3.12.5 submittal in its entirety, requiring other submissions reviewed and approved at a later date.

Mr. Petrozzi said the OSRD concept plan would take the place of the old plan with the through street.

Upon a motion by Ms. Chafetz and seconded by Mr. Montgomery, the board voted unanimously in favor to approve the Open Space Residential Development/EIDR application for Morgan Farm Estates subject to review by town counsel.

Upon a motion by Ms. Chafetz and seconded by Mr. Montgomery, the board voted unanimously in favor to continue the Wall Street Development hearings until March 13th at 8:30 p.m.

Upon a motion by Ms. Chafetz and seconded by Mr. Montgomery, the board voted to adjourn the meeting at approximately 10:58 p.m.

The next meeting of the Planning Board is Tuesday, March 13th at 7:30 PM in the Champagne Meeting Room.

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List of Documents, Materials and Exhibits

Draft Legal Notice of Public Hearing for zoning amendments