

**Westwood Planning Board  
Meeting Minutes  
November 13, 2012  
6:30 PM  
Champagne Meeting Room**

*(This meeting was videotaped and is available at [www.westcat.tv](http://www.westcat.tv))*

**Attendance & Call to Order:**

The meeting was called to order at 6:40 p.m. by Ch. Jack Wiggin.

*Present:* Planning Board members Jack Wiggin, Steve Olanoff, Steve Rafsky, Bruce Montgomery and Chris Pfaff; Town Planner Nora Loughnane; Special Counsel Daniel Bailey and Special Counsel Gareth Orsmond; and Planning & Land Use Specialist Janice Barba recorded the minutes.

**University Station Proposal – Design Refinement Work Session and Status Report on Proposed Zoning Bylaw – Focus on Zoning Bylaw Language**

Ch. Wiggin welcomed the proponent's team: John Twohig from Goulston & Storrs, Paul Cincotta from N.E. Development; Ray Murphy from Eastern Development and Westwood's Peer Review Consultants from Beta Engineering.

Ch. Wiggin informed Special Counsel Attorney Dan Bailey will present a draft of the proposed zoning bylaw amendment.

***Highlights of Presentation on draft Section 9.8 – University Avenue Mixed Use District (UAMUD):***

Mr. Bailey explained that he and Attorney Osmond have been working with the proponent's legal team on the proposed UAMUD bylaw draft. This presentation will serve as a status update on the major issues that he would like the Planning Board to consider and provide feedback on. (A copy of this document is available with these minutes.)

*Seven points were highlighted:*

1. Master Development Plan (MDP) Requirements
2. Residential Use Limitations
3. Relationship of the Zoning Bylaw to Subdivisions
4. Concept of the Flexible Use Zone
5. Consistency Certification - What are the Planning Board's requirements and standards?
6. Enforcement
7. Modifications to the Master Development Plan - Under what circumstances can the MDP be modified by the Planning Board and under what circumstances would it have to go back to town meeting for approval?

The following sections of the document were discussed in greater detail and the board commented as noted.

- *Master Development Plan Requirements* – site plan, roadways & infrastructure, maximum number of stories, building program, parking ratios, notes, designation of uses, technical reports; Overall Development Criteria: Development Lot Area; Building Program; Hotel/Commercial Lodging; Maximum Floor Area Ratio. Minimum Parking Requirements: for each “use type”.
  - 9.8.3.1 (l) – *Core Development Areas (yellow colored areas on the site plan) 1, 2 & 3 must show location with the intended location of buildings within the area;*

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layout of parking, pedestrian and landscaped areas; architectural elevations of  
all buildings and structures; intended location of residential buildings, total number  
of units by bedroom types and number of affordable units.*

*(Board comment – Section 9.8.1, 9.8.3 and 9.8.3 wants “projects” changed to  
“University Station”.)*

- *Section 9.8.3.2 – Use Types (salmon colored areas on the site plan) – To some degree, these uses can be reconfigured, subject to the consistency finding.*
- *Section 9.8.4 – Permitted Uses*
- *Section 9.8.4.2 – Uses Permitted by Special Permit*
- *Section 9.8.4.3 – Prohibited Uses*
- *Section 9.8.4.4 – Accessory Uses*
- *Section 9.8.4.5 – Relationship to Water Resources Protection Overlay District*
- *Section 9.8.5 – Residential Use Requirements*
- *Section 9.8.5 (e) No building permit shall be issued for any residential use outside of the Core Development Area until the proponent has commenced construction of, such non-residential uses as are shown on the Master Development Plan...*
- *Section 9.8.7 Dimensional Standards & Requirements*
- *Section 9.8.8 Parking & Loading*
- *Section 9.8.9 Signage*
- *Section 9.8.10 Design & Performance Standards*
- *Section 9.8.11 Administration (Development Agreement)*
- *Section 9.8.11.2 Consistency Finding by Planning Board*

**Board Questions & Comments:**

- A board member said that he would have preferred having more time to review this document before tonight's presentation.
- Why not bring the core development plan to town meeting for approval and require special permits for everything else?
- If something is a cap on the plan, does this become a “right”? Mr. Bailey affirmed that it does become a “right”.
- What if the board wants to increase a cap on an area that is non-residential?
- If a use becomes less intensive, then how is it considered consistent?
- Affordable Housing - clarification is needed on the exact dollar amount per housing unit to be paid to the housing trust fund.
- Why is Section 9.8.5 (e) limited to residential? Mr. Bailey said that the town wants to be sure the non-residential area is developed before the residential development.
- In Section 9.8.11.3 – several questions were asked. Mr. Bailey agreed that there are many questions in this section and said that it needs additional work.
- Will the core development plan be complete at town meeting?
- Will the consistency finding review follow?
- What makes the development criteria “a maximum”?
- Will minor modifications of each phase be made in relation to the goals for the entire project?

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- Why are landfills a prohibited use? Mr. Bailey said that landfills are prohibited in the Water Resource Protection Overlay District.
- How can the master development plan be flexible, yet be considered consistent?
- Will lease holders be identified and named on the core development plans presented at town meeting?
- Is the special permit for a building height up to 120' intended for the hotel?
- How will the town be protected if some areas of the core development plan are not built? How will this impact pedestrian connectivity? Mr. Bailey said that this issue will be addressed in the development agreement and thanked this board member for bringing up this point about the impact on pedestrian connectivity.
- The tallest buildings should not be located in the line of sights of the abutting residences. Mr. Bailey said that all the proposed heights of the buildings are the same as the heights allowed in the Flexible Mixed Used Overlay District and will be checked against the maximum heights approved in the Westwood Station permits.
- Board members generally agreed that they had many questions about process of the consistency finding.
- Can the board add a restriction that the maximum building height in the project be no higher than NStar?
- Will the proponent provide a model to town meeting? Ms. Loughnane said that a model is required unless the board waives it.
- Section 9.8.11.9 – Minor Modifications of the Master Plan – what is the administrative process by the Planning Board?
- Is there a cap associated with non-residential development? Mr. Bailey said that there a cap in each use so as to reach the goal to have a mixed use development.
- Does the board have the ability to correct or stop future development due to negative impacts such as exacerbated traffic or a decreased public safety?
- The planning board should be allowed to require additional mitigation in certain areas.
- Could the "reach-back provisions" prevent the proponent from achieving financing? Mr. Bailey said that these provisions could affect the proponent's financing. He said that it is much easier to require monitoring, mitigation and regulation by the Planning Board through the consistency finding.
- Why are public safety and school impacts noticeably absent from this document?
- Non-residential uses near residential areas must be identified on the plans.
- Board members agreed that much more discussion is needed on this bylaw.

*Public Comments:*

- Barb Delisle, Finance Commission Member – asked when the fiscal impact report will be ready for review. Ms. Loughnane said that the report is ready now and will be posted on the website tomorrow.
- C. Peckinpaugh, Whitewood Road – thanked Mr. Rafsky for the comments he made tonight.
- B. Maloof, Whitewood Road – expressed his concerned about the proposed heights of the buildings and the effects on the abutting residential neighborhood.

The discussion on University Station proposal will continue on next Tuesday, November 20<sup>th</sup>. In

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In addition, the fiscal impact report will be presented. The public hearing for proposed zoning amendments is scheduled for December 18<sup>th</sup>.

*Motion/Action Taken:*  
None needed.

**Update on Public Participation in University Station Project Review**

In response to public comments heard at the last meeting of the board regarding the perception that the public is not fully notified or aware of the University Station Project review process, Ch. Wiggin asked Ms. Loughnane to prepare a summary for the public and clarification on the process.

Ms. Loughnane explained that she has prepared an article to be included in the town's newsletter (which is mailed to all households) explaining the proposed development, the review process, and the town meeting article. The article will inform residents and instruct them on where to find current information about the project.

Meantime the following actions have taken place to improve public awareness and participation in the University Station project review:

- Plans, reports and memos will continue to be posted to the University Station webpage;
- University Station web page has been updated to provide clear links to all previous meeting videos and information on the Development Agreement;
- Westcat.tv has created a special tab for all University Station meeting videos;
- A link to the town's University Station webpages have been sent to a group of residents who previously attended traffic sessions;
- a weekly, narrative update is proposed which will be disseminated to the press and website;
- The Board of Selectmen sent postcards to residents of Canton St., Forbes Rd., Everett St. and Blue Hill Drive notifying these residents to make their views known to them.

*Board Questions & Comments:*

- A board member suggested that "FAQ" session on the development agreement.
- Is the proponent on track for a February 28<sup>th</sup> special town meeting?

**Continuation of Public Hearing for Modifications to OSRD Definitive Subdivision Approval for Morgan Farm**

The last time Morgan Farm was before the Planning Board on 10/22/12, the OSRD-EIDR modification was approved. Since then, Mr. Petrozzi submitted other options for Road "B" were presented to peer review consultant Paul Brodmerkle, for review.

Mr. Petrozzi gave a brief review of the proposed options:

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- A full cul-de-sac for Road B, outside gas easement and added hydrant, addition of a 6" water main, added a drainage swale, edited per peer review comments.
- Waivers will be required for this roadway.
- Aesthetic feature, a landscaped island, only one berm elevated, adding a grass swale, (no stormwater pipe). A 5' or 10' easement will be needed.

Mr. Brodmerkle provided a summary of his comments in response to the proposed plans: (A copy of this report is included with these minutes.)

1. Road "B" will require waivers for: traffic island; minimum cul-de-sac radius (50'), roadway centerline crown, granite curbing, closed drainage system
2. Roads "A" & "B" will require a waiver for street length greater than 500'.

Roadway Infrastructure Comments #3-#6:

These items have been addressed: *Double grates have been added; Structures have been deleted from the plan at STA 16+50; a hydrant has been added; a 6" water main has been added instead of an 8" main.*

Stormwater Management #7-#10

- The piping downstream of DMH #7 remains over-capacity. The proposed drainage swale for Road "B" falls outside the roadway layout at the cul-de-sac. *(Mr. Brodmerkle concurred with adding the grass drainage swale and that an easement will be needed here.)*
- The time interval has been revised to the former 3 minute interval.
- The drainage area has been revised to the former 3 minute interval. *Pre and post development flows are difficult to balance and one small discrepancy remains.*
- The drainage area has been revised; however, the wooded cover types are incorrect between pre and post development. *The cover type will affect the drainage type and likely the reason the 3 minute interval discrepancy.*
- More refinement is required to determine the time of concentration flow path distances and slopes.

Zoning

- Relief will be required for the 50' frontages provided on Lots 8 & 9

Mr. Brodmerkle said that the plans are pretty much in shape and the last items that need to be addressed are Planning Board action on the individual waivers.

Board Questions & Comments:

- With regard to #9 in the stormwater management comments a board member asked if there is a concern. *Mr. Brodmerkle said the same curve number should be used and then this should be revised to clean up the flow.*
- What is the grade on lot 10, 5? *(3-4' feet below the cul-de-sac).*

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- Is the fire chief satisfied with this layout? *Ms. Loughnane said that the fire chief's memos reflect comments that the plans the closest to the standard is preferred and added that this plan with the turnaround is better than no turnaround.*

Mr. Petrozzi asked the board for clarification about whether the sprinklers will be required for all houses in the subdivision or only for the houses beyond 500'.

- A board member asked if the fire chief will address this. *Ms. Loughnane commented that the fire chief would like all the houses to have sprinklers and that she expects to receive some residential standards from his office. She suggested that the board may want to consider adding a condition of its decision about the sprinkler system specifications being subject to the fire chief's approval.*
- Board members agreed that this is a reasonable request to require installation of sprinklers.

Waivers:

Traffic Island – P. Paradis said that pervious areas are preferred by DEP and agrees with this. Minimum cul-de-sac radius – no waiver needed, Mr. Truax said he would move the diameter out to 55'.

Roadway centerline crown -

Granite curbing – berm on one side, grass strip

Closed drainage system

Same language regarding placement of trees will be used as in the OSRD-EIDR.

Dead-end streets – a waiver of the 500' length on both cul-de-sacs.

Motion:

Upon a motion by Mr. Montgomery and seconded by Mr. Pfaff, the board voted unanimously in favor to grant the waivers as discussed, with the exception of the street length on cul-de-sacs.

Upon a motion by Mr. Pfaff and seconded by Mr. Montgomery, the board voted four in favor and one opposed to grant the waivers of the less than 500' street length on Morgan Farm and Road B and to add sprinkler systems to houses affected on these roads.

Upon a motion by Mr. Rafsky and seconded by Mr. Montgomery, the board voted four votes in favor and one vote opposed to approve the modification of the existing OSRD subdivision and the original conditions exist.

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

**Minutes for Consideration**

Upon a motion by Mr. Montgomery and seconded by Mr. Rafsky the board voted unanimously in favor to approve with edits, the following sets of meeting minutes: 8/28/12, 9/11/12, 9/27/12, 10/2/12, 10/9/12 and 10/16/12.

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**Next Meetings:**

Tuesday, November 15<sup>th</sup> – Board of Selectmen

Tuesday, November 20<sup>th</sup> at 6:30 p.m., Champagne Meeting Room, 50 Carby Street.

Tuesday, December 4

Tuesday, December 11

Tuesday, December 18

**Adjournment**

*Upon a motion by Mr. Montgomery and seconded by Mr. Rafsky the board voted unanimously in favor to adjourn the meeting at approximately 9:22 p.m.*

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**List of Documents, Materials and Exhibits**

DRAFT FOR DISCUSSION PURPOSES ONLY, 9.8 University Avenue Mixed Use District (UAMUD) - created by D. Bailey

Plan Sheet C-100 Master Development Plan

Memo to Planning Board from N. Loughnane, Town Planner, dated 11-12/12 re: Public Participation in University Station Project Review

Letter to Planning Board from P. Brodmerkle, Site Design Professionals, LLC, dated 11-08-12, re: Engineering Peer Review – Morgan Farm Estates



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All University Station reports are available on the town's website at

<http://www.townhall.westwood.ma.us/index.cfm/page/Univesity-Station/pid/28367>