

**Westwood Planning Board
Meeting Minutes
September 20, 2011
Champagne Meeting Room
7:30 P.M.**

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

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

Chairman Rafsky called the meeting to order at 7:30 P.M.

Approval Not Required (ANR) Plan for Lieberman Property - 145 Gay Street

An application and plans were received on September 16th to divide the property at 145 Gay Street into two separate parcels. Mr. and Mrs. Bryan Lieberman were present.

Ms. Loughnane described the property as within the Single Residence E District, which requires a minimum of 80,000 square feet in lot area, 60,000 square feet in non-wetland area, and a minimum lot frontage of 175 feet on a public way. She reviewed the plans with the both the building department and the department of public works and all agreed that they appeared to be complete and in conformance. She said both parcels will meet or exceed these Zoning Bylaw requirements and the parcel containing the existing house will meet all minimum setback requirements.

Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin, the board voted unanimously, five votes in favor to endorse the ANR plans.

Continuation of Public Hearing for Consideration of Environmental Impact Design Review (EIDR) Application for Ann's Lunch Building – 920 High Street

Ch. Rafsky reopened the public hearing and requested a motion to immediately continue it without any testimony.

Ms. Loughnane gave the board a brief update and said that applicant John Andrews phoned the planning office today to request a continuance as the revised plans are not ready for submittal and that he will resubmit the plans to the zoning board. Ms. Loughnane said that she disagreed with the plans be resubmitted to the zoning board as it is not the appropriate regulatory board to assist with planning matters.

An abutter, Mrs. Heddal of 6 Fisher Street, asked the board for an explanation as to why the hearing is being continued and expressed frustration about not being notified of this ahead of time.

Ch. Rafsky explained to Mrs. Heddal that the continuance has been requested by the applicant today.

Ch. Rafsky stated that he is very concerned about unresolved issues related to the design of and capacity of the proposed on-site parking area. He suggested that the board write a letter to the zoning board of appeals with its opinion about the project, stressing the importance of encouraging properly planned economic development.

Ms. Loughnane informed the board that the applicant and the owner of 920 High Street met with economic development officer, Chris McKeown last week and they generally agreed that the project plans may need to be started from scratch.

Upon a motion by Ms. Chafetz and seconded by Mr. Montgomery, the board voted unanimously, five votes in favor to continue the hearing to October 11, 2011 at 8:00 p.m. in the Champagne Meeting Room.

Continuation of Public Hearing for Consideration of Reynold's Farm Senior Residential Development Special Permit Application – 1561 High Street

Ch. Rafsky reopened the public hearing and informed the public that the Planning Board attended a site visit on Thursday, September 15th.

Ms. Loughnane stated that Beals & Thomas was selected as the peer review consultant for the project. An initial report memo was received and transmitted to board members and the applicant late last week. She said the estimated budget for the Scope of Services is \$5,000 and requested that Applicant Ed Musto submit a check for \$5,000 to be deposited into the 53G account to pay the first invoice from Beals & Thomas.

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Ch. Rafsky invited the Applicant to comment on the Beals & Thomas' report.

John Glossa, Glossa Engineering was present on behalf of the Applicant and responded that he would like to comment on the report. He said he thought the review by Beals & Thomas was quite comprehensive and that he did not see anything in the report that would prohibit the project from going forward from a zoning compliance standpoint. He said the other issues raised were mostly focused on grading issues and a request to decrease the driveway slope from 10% to 8%. Mr. Glossa said the driveway slope could be decreased to 8% with a 5% leveling area at the street. He said this grading change will drive the grading down at the upper part of the lot near the wetlands which may require building a 2-3' retaining wall, in order to maintain the 10' limit of work area. He said that he would like to keep the grading around the buildings as level as possible.

Board members asked questions about how this change will affect the grading for units #6, 7, & 8 and if there will be any impacts on the existing wetlands.

Mr. Glossa confirmed that this change will affect those units but will not drastically alter the wetlands.

Mr. Glossa said he may have some flexibility in changing the location of units #6, 7, & 8 on the property, moving them away from the wetlands and possibly avoid building a retaining wall.

Mr. Montgomery asked if the site distance will be affected by this grading change.

Mr. Glossa said the site distance may be affected but by inches only.

Ch. Rafsky asked for clarification on the black rectangles shown on the plans and asked if the proposed amount of parking is sufficient for resident's guests or visitors.

Mr. Glossa said the black rectangles represent areas where a car would be parked. He said in designing parking for this project, he did compare the parking at similar local senior residential developments. He said he would consider changes to the plans to provide additional parking. He said that Cape Cod berm is proposed for the driveways and there may be some flexibility as to the width of individual unit parking spaces, possibly increasing from 22' to 24' wide.

Board members discussed other options for increasing parking areas, such as moving the guardrail on the plans.

Mr. Olanoff asked Mr. Glossa why a sidewalk is not proposed on the plans.

Mr. Glossa said he didn't think that a sidewalk was of a higher priority than proposing good drainage infrastructure design and improved sight distance.

Ch. Rafsky said after the site visit he was better able to visualize the proposed site distance improvement for residents, abutters and drivers. He asked Mr. Glossa to explain the landscape screening plans for minimizing visual impact to neighboring abutter's properties.

Mr. Glossa said the proposal for landscape screening from the rear of the neighboring properties proposes a 7' slope with an 8' wide level area for truck access and a wall, which would only be visible on the development side. He said some of the plantings include high-bush blueberry bushes, dogwoods, firs, sugar maples, Japanese maples and ornamental deciduous trees and other street plantings. He said this will create an attractive screening. In addition, there will be minimal exterior lighting, similar to what single family houses would have and some reflectors will be placed in appropriate areas. Mr. Glossa confirmed that he would be willing to work with the abutters regarding their preferences on plantings in the landscape screening area.

Ch. Rafsky commented that he thinks this project will reduce and improve current drainage problems in the neighborhood.

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Mr. Glossa agreed and said the project will significantly alter the watershed in a positive way.

Mr. Olanoff commented that he thinks the lack of a sidewalk on the plans is significant.

Ch. Rafsky and Ms. Chafetz both agreed that there may not be sufficient space for both sidewalks and additional parking.

Mr. Olanoff commented about overnight parking regulations in the winter.

Ms. Loughnane said the off-street parking regulations are not applicable here because this is a private driveway and not a roadway.

Mr. Montgomery said he did not think sidewalks are a priority.

Mr. Wiggin said he thinks that it is inevitable that there will be cars parked on the street, at times.

Ms. Chafetz said she cares more about the possibility of increasing the width of the driveway so to allow additional vehicles on the site.

Ms. Loughnane commented that she is concerned about traffic safety, ensuring that landscaping on both High Street and Blueberry Lane is lush and dense as possible and parking.

Mr. Wiggin asked if there were any comments received from the police and fire departments.

Ms. Loughnane said the police department commented about traffic sight distance issues but she has not received any comments from the fire department.

Mr. Wiggin requested that feedback is sought from the fire department.

Ch. Rafsky asked if a fire truck would be able to turn around on the site.

Mr. Musto said the fire chief previously approved similar plans when this project was proposed several years ago.

Ch. Rafsky opened the hearing to public comments.

M. Mullen, 1591 High Street asked if any drilling or blasting will be done for this project and if so, would the abutters have any help if any problems arose.

Mr. Glossa responded and said there is ledge on the property but he is not sure if blasting will be necessary. He said if it is necessary, abutters within 200' of the structure will be notified and a pre-blast survey would be provided.

J. Onderdonk, Housing Department commented that she doesn't think a sidewalk is necessary for this site.

S. Hoban, 1581 High Street commented about sidewalks and how she doesn't use them on Stanford Drive.

Mr. Musto said that visitor's cars could park in the grass strip in front of each unit, if necessary.

B. Shea, Economic Development Advisory Board member suggested having two parking spaces per unit with pervious surfaces, if possible.

Mr. Glossa said he can has a solution to the parking issue in which he can rearrange the five feet between the guard rails, pave it so it could be used as overflow parking and when it is not being used it could serve as a sidewalk. He suggested that Mr. Musto add language regarding the use of this area to the condominium documents.

This concluded the public comments.

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Ms. Loughnane said for the next meeting, Mr. Glossa should prepare revised plans to show the relocation of the buildings, send these revisions to Beals & Thomas for its consideration and then provide a report to the Planning Board on the requested revisions.

Ch. Rafsky asked Ms. Loughnane to get a recommendation from the fire chief on the project.

Ms. Loughnane asked Mr. Musto to bring a check to the town collector's office in the amount of \$5,000 to be deposited into the 53g account for payment of engineering peer review.

Upon a motion by Ms. Chafetz and seconded by Mr. Montgomery, the board voted unanimously, five votes in favor to continue the hearing to October 25, 2011 at 7:45 p.m. in the Champagne Meeting Room.

Recommendation for Procedure in Consideration of Powissett Estates/Morgan Farm Application

Ms. Loughnane gave a brief summary to update the board on the next steps for consideration of the application before it. Board members were given a copy of the January 2011 Planning Board denial decision on the plan which was remanded to the Planning Board. The Planning Board must now reconsider the original application on its own merits.

Ms. Loughnane reminded board members about the major reasons for disapproval of the second modification of Definitive Subdivision of Powissett Estates: the board did not deviate from its decision to remove the restrictions and allow for a change in use of the right of way between Little Boot Lane and Shoe String Lane; and the proposal to extend the right of way would exceed the 500-foot maximum length regulation for dead-end streets according the subdivision Rules and Regulations. In addition to those reasons, Ms. Loughnane highlighted #2 and #3 on page 3 of the Decision (a copy of which is included with these minutes) "No grading or invert details were provided for extension of the culvert at Station 8+30 and no temporary easement has been proposed to permit finish grading on the back edge of the proposed sidewalk on the easterly side of Little Boot Lane." She also referred to items #3-#9 on page 4 which list additional reasons for denial.

Ms. Loughnane suggested that the board allow the Applicant to replace the 2007 plans with the 2010 plans, which would still propose a full street connection between Little Boot Lane and Shoe String Lane. She said the board could allow the Applicant to submit an alternative plan, proposing a 10-lot development. Nine lots would be built along the Morgan Farm Road cul-de-sac and one lot would be built off the Powissett Estates emergency connector. Ms. Loughnane said there would be waiver requests with this alternative plan.

Ch. Rafsky asked what the time considerations are for this application. Ms. Loughnane said the time period began when the hearing was opened this July and would likely be 90 days but she will check with town counsel.

Board members looked at a draft of the alternative plan which the Applicant provided to Ms. Loughnane. There was a discussion about the estimated length of the proposed cul-de-sac road. Ms. Loughnane said the proposed cul-de-sac road is approximately 1,200 feet.

Mr. Wiggin asked if the Applicant would consider developing this project as an Open Space Residential Development (OSRD) and if a land swap has been discussed with Hale Reservation. Ms. Loughnane said the arrangements with Hale have not been discussed. She said if the applicant submitted the project under OSRD it would still require a definitive subdivision plan approval and the same issue regarding the length of the cul-de-sac would apply. In addition, more dwelling units would be allowed to be built than what is currently proposed.

Mr. Olanoff asked Ms. Loughnane what the yield calculation is.

Mr. Petrozzi estimated the yield to be 17.1 or possibly 20 units. He said that he did not think an OSRD submittal is a good idea for this site, but hasn't thoroughly considered it yet.

Mr. Wiggin said he initially suggested OSRD submittal for the purpose of taking advantage of the flexibility of the

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dimensional requirements and not for having the option to increase the density of the project.

Mr. Petrozzi said he had an informal discussion with Hale Reservation about an equal trade of acreage and said that this would create straight, conforming lots. He said he could provide a plan of 17 lots for the board at the next meeting. He said he would like the planning board to decide whether or not it will waive the requirements of the through street.

Ch. Rafsky suggested that the board review the 2010 plan.

Ms. Loughnane said the board should ask the Applicant to address all the items in the denial decision on the 2010 plan.

Mr. Petrozzi said this project is limited under the Wetlands Protection Act. He thinks the board should grant the waivers from its Rules and Regulations, consistent with the Wetlands Protection Act, by such as waiving impact to the wetlands.

Ch. Rafsky said the Applicant should consider leaving the 500' roadway and create a couple of shared driveways.

Mr. Petrozzi said he already proposed a plan like that already but the board rejected it.

Mr. Petrozzi said he is entitled to build the plan as remanded by the courts.

Ch. Rafsky asked the board for its opinion.

Mr. Montgomery said he would consider a plan with a dead-end roadway longer than 500'.

Ch. Rafsky commented that he concurred with Mr. Montgomery.

Mr. Olanoff commented that he would like to see the project submitted under OSRD, with a reasonable number of lots and a shorter cul-de-sac. He said he did not agree with waiving the extended length of the cul-de-sac.

Ms. Loughnane said this application has not been submitted under OSRD and the board needs to consider the remanded plans.

Mr. Wiggin said he thinks the planning board should avoid disrupting the neighborhood.

Ms. Chafetz said she agreed with Mr. Wiggin and said she would not want to see a cut through Little Boot Lane and Shoe String Lane for a number of reasons including the negative impact on traffic safety.

Ch. Rafsky summarized and stated that the board will consider the 2010 plans at next week's hearing and any other alternate plan that the applicant wishes to submit.

Mr. Olanoff said that he will not be agreeing to a waiver of the length of the cul-de-sac.

Other Planning Board Business that may come before the Board

Consideration of draft minutes for approval: Ch. Rafsky asked board members if they had a chance to review the recent set of minutes sent by Ms. Barba. Not all members had a chance to review them so this will be continued to the next meeting.

Driveway off High Street related to Fox Hill Village Construction: Ms. Loughnane said she noticed a new driveway has been cut off high street that is being used as a temporary access road for construction vehicles to access the Fox Hill Village site. She expressed concern that this access road should have been addressed in the Environmental Impact and Design Review, as there has been substantial clearing of land to make this road. She suggested that the Rules and Regulations should address this in the future. She asked the building commissioner to require that a plan for re-vegetation and restoration of this property, prior to issuing a certificate of occupancy.

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Thanks to Ms. Loughnane: Mr. Montgomery thanked Ms. Loughnane for providing the board with excellent notes and reports for its use prior to each meeting. Other board members agreed with these comments.

Scheduling of Upcoming Planning Board Meetings

Planning Board meetings were scheduled for Tuesday, October 11th and Tuesday, October 25th.

Upon a motion by Mr. Montgomery and seconded by Ms. Chafetz, the board voted unanimously, five votes in favor to adjourn the meeting at approximately 9:40 P.M.

The next meeting of the Planning Board is Tuesday, September 27, 2011 at 7:30 PM at 50 Carby Street, in the Champagne Meeting Room.

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List of Documents, Materials and Exhibits

Letter from Beals & Thomas, Inc., dated 9/12/11 re: Review Comments for Reynolds Farm SRD

Copy of Certificate of Vote – Definitive Subdivision Plan, dated January 25, 2011. Disapproval of the Second Modification of Definitive Subdivision of Powissett Estates and Definitive Subdivision of Morgan Farm Estates