

**Westwood Planning Board  
Meeting Minutes  
December 13, 2011  
7:30 PM**

**Champagne Meeting Room**

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

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

Ch. Rafsky called the meeting to order at approximately 7:31 p.m.

**Continuation of ANR related to the Town's Abandonment of Hoover Road**

Ms. Loughnane informed the Board that this ANR will not be considered by the board this evening as the application is not yet complete. The remaining two of the six of property owners involved in the application have not yet signed the ANR application. Ms. Loughnane will keep the board updated on the status of the ANR application.

**Discussion of ZBA Application for WRPOD Special Permit to Construct Garages at Hale Reservation**

Ms. Loughnane informed the board that the ZBA has received an application for a Special Permit under the Water Resource Protection Overlay District, from Hale Reservation to construct two, 3 car garages and has requested a recommendation and/or comments from the Planning Board.

Ch. Rafsky and other board members agreed that it is unnecessary for the Planning Board to comment on this special permit application.

**Consideration of Minor Modification to EIDR Approval for Fox Hill Village Dementia Care Cottages**

Ms. Loughnane distributed copies of a plan of the Fox Hill Village project in which minor modifications are shown related to proposed guardrails. The engineer has requested to eliminate a 100' section of guardrail from one area and add a new 40' section of guardrail along the detention area.

Board members reviewed the plan and agreed that this a minor change.

Upon a motion by Mr. Olanoff and seconded by Mr. Montgomery, the board voted unanimously in favor, to approve the minor modification to EIDR Approval for Fox Hill Village Dementia Care Cottages.

On another matter related to this project, Ms. Loughnane said she spoke with Tony Amico from Fox Hill Village about the restoration of the area cleared on High Street during construction. He informed her that arrangements have been made for replanting trees and shrubs along High Street to restore the land to its original condition. The planting will be done in the spring.

**Consideration of Fifth Extension of Shared Driveway Special Permit for 480 Summer Street**

Ms. Loughnane reported that the applicants, Mr. & Mrs. Mouhanna of 480 Summer Street have again requested another extension of their Shared Driveway Special Permit. She said it is the applicant's desire to delay the completion of the outstanding items until they sell the two buildable lots served by the shared driveway.

Upon a motion by Mr. Olanoff and seconded by Mr. Montgomery, the board voted unanimously in favor to grant an extension of the Shared Driveway Special Permit for one year, rendering the Shared Driveway Special Permit valid through December 6, 2012.

**WEAC Request - Letter of Support for MAPC Grant Application**

Peter Kane, from Westwood Environmental Action Committee (WEAC) was present to discuss a grant application he is submitting to the MAPC. He identified the grant program as the "Local Energy

**Westwood Planning Board  
Meeting Minutes  
December 13, 2011  
7:30 PM**

**Champagne Meeting Room**

Action Program”, which will award technical assistance from the MAPC with the goal of creating an all-inclusive energy reduction plan for the Town of Westwood. Mr. Kane asked the Planning Board if it would write a letter of support for WEAC’s application to MAPC.

Upon a motion by Mr. Montgomery and seconded by Mr. Olanoff, the board voted unanimously in favor to support WEAC in its application to the MAPC for the Local Energy Action Program. Furthermore, the board voted unanimously in favor to authorize the Town Planner to compose and sign the letter on behalf of the Planning Board.

Ch. Rafsky said Mr. Kane would like to attend a Planning Board meeting in January to discuss amendments to the zoning bylaw.

**Discussion of Reynold’s Farm SRD Special Permit – Draft Decision**

The draft decision for the Planning Board’s approval of SRD for Reynold’s Farm was distributed to the board for comments. Ms. Loughnane said she received comments from several Board members and revisions have been made as requested. She would like to finalize the document. Ms. Loughnane and Board members reviewed the decision page by page.

- Page 3, #8 – minor typographical error
- Page 5, #5 - ...replace this finding
- Page 7, #13 –shall submit, *to the Planning Board for approval*, all appropriate legal documents, *shall be recorded in the Town Clerk’s office...*
- Page 7, #15 – at the end of the sentence, add: *during construction*.
- Page 7, #18 – The “As-Built” plan shall be delivered to the Board in AutoCAD (dwg) format, preferably *in either model space or paper space...* Also: ... *coordinates to meet an acceptable format to the Town of Westwood.*
- Page 8 – Record of Vote – Ms. Loughnane said there will be one vote for SRD Special Permit, EMM and EIDR

**Draft Planning Board Meeting Minutes for Consideration**

Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin the board voted unanimously in favor to approve the minutes of 10/25/11, 11/08/11 and 11/21/11, with the minor edits submitted by Mr. Olanoff.

**Discussion about dates for Upcoming Planning Board Meetings**

Meetings have been scheduled for /13, 1/17 and 1/24. An additional meeting date was suggested for January 10<sup>th</sup>.

**Westwood Land Trust Land Acquisition Update – Morgan Farm Estates**

Ch. Rafsky informed the board that he, Ms. Loughnane and Ms. Chafetz on behalf of the Planning Board held a meeting with Eric Arnold from Hale Reservation, Nancy Dempze from the Westwood Land Trust and Pat Ahearn and Mike Jaillet representing the Board of Selectmen to discuss a possible land acquisition for conservation land. It was concluded that the Town should work toward gaining support for this acquisition after obtaining a real estate appraisal. In addition, Ch. Rafsky and Ms. Loughnane met with neighborhood representatives Tom Hiller and Bob Philips to update them on the discussions related to the conservation efforts.

Today, Ch. Rafsky and Ms. Loughnane had a meeting with Lou Petrozzi to inform him of the land acquisition process and suggested that this evening’s hearing should be immediately continued for an additional thirty days to afford the town time to determine if any such agreement could be reached between the parties. Ch. Rafsky explained that subsequent to that meeting, Mr. Petrozzi emailed Ms. Loughnane with a note that Ch. Rafsky read:

**Westwood Planning Board  
Meeting Minutes  
December 13, 2011  
7:30 PM  
Champagne Meeting Room**

*Wall Street Development would be agreeable to a continuance until January 17, 2012, with the understanding that if the Town and Wall Street cannot reach an agreement for the sale of the property, or any portion thereof, by January 17, 2012, that the Planning Board would take the following action at that time:*

- 1. Approve the open space development plan submitted by Wall Street showing 10 buildable lots;*
- 2. Grant approval of waivers requested that are not objectionable by the Town's DPW; and*
- 3. Approve the definitive subdivision plan entitled "2<sup>nd</sup> Modification of Powissett Estates and Morgan Farm Estates" subject to the submission and review of final subdivision plans by the board's peer review engineer.*

Ch. Rafsky said he told Mr. Petrozzi that the board would discuss this tonight and informed him that Ms. Chafetz is absent this evening and if the hearing continues tonight, she will not be allowed to cast a vote in the decision, as she has already missed one hearing. He pointed out that if the hearing were to be opened for the sole purpose of continuing the hearing to a future date, then Ms. Chafetz would be able to continue in the hearing process as a voting member. He asked Board members what they would like to do.

Mr. Wiggin asked for clarification on the plans before the board.

Ms. Loughnane said the plans before the board are:

1. Morgan Farm Definitive Subdivision/81W Modification – Court Remanded Plans
2. Alternative Plan with 10-lot cul-de-sac, OSRD concept plan

She said that although these are two separate hearings they are both related and one cannot be opened without the other being opened.

Mr. Wiggin asked if Mr. Petrozzi is looking for certainty that the Planning Board would approve one of these plans.

Mr. Petrozzi said the Board has essentially already approved the 10-lot building plan.

Ch. Rafsky disagreed with that statement and said the Planning Board only gave a waiver of the 500' limitation of the length of the dead end street with certain conditions.

Ms. Loughnane said on October 11, the board approved the following:

*the Planning Board hereby grants a waiver of the 500-foot dead-end street limit set forth in Section IV. A. 4. of the Planning Board's Rules and Regulations for the Subdivision of Land, to permit an extension of Morgan Farm Road substantially as shown on the plan entitled "Conceptual Cul-de-sac layout Subdivision Plan for Morgan Farm Estates, Westwood, Massachusetts", prepared by GLM Engineering Consultants, Inc., and dated September 20, 2011, only under the following conditions:*

- 1) That the lot shown on said plan as having access from the Powissett Estates emergency connector is permanently eliminated from the plan, and the land associated with this lot is dedicated as permanent open space;*
- 2) That the development is limited in perpetuity to a total of 10-lots, regardless of the number of lots which could otherwise be developed, and that further division of any lot created along this portion of Morgan Farm Road, whether by ANR or any other method, is expressly prohibited;*
- 3) That all lot lines are redrawn under an approved Open Space Residential Development (OSRD) plan to exclude significant wetland areas from proposed buildable lots;*

**Westwood Planning Board  
Meeting Minutes  
December 13, 2011  
7:30 PM**

**Champagne Meeting Room**

- 4) *That all dedicated open space required under an approved OSRD plan is donated to an appropriate entity approved by the Planning Board, to be held and maintained as permanent open space; and*
- 5) *That all reasonable and appropriate measures are taken to improve fire-fighting capability within the development, including but not limited to the location of additional fire hydrants along the length of the cul-de-sac and the installation of a looped water main if necessary to establish sufficient water flow.*
- 6) *Addition of the emergency access road, if appropriate.*

Ch. Rafsky said those plans have a limit of 10 lots.

Ms. Loughnane said the OSRD concept plan is not in conformance with condition number one and would have to be amended.

Ch. Rafsky said that the board is being asked to accept certain conditions proposed by the developer to continue the hearing and, in his opinion, the Planning Board must have its own conditions which cannot be properly determined without legal counsel. He reiterated that a thirty day extension is necessary to determine if the Town and Mr. Petrozzi could reach an agreement on preserving some of this land. Ch. Rafsky stated that he was requesting an extension in "good-faith."

There was a lengthy, repetitive discussion between the chair and Mr. Petrozzi about the number of lots discussed in the prior approved waiver and the associated conditions.

Mr. Petrozzi asked if the Planning Board will take action on this matter in the next thirty days.

Ch. Rafsky answered, "Yes, the board would take action on the plans before it."

Mr. Petrozzi said he would grant an extension of thirty days until January 30, 2012.

Ms. Loughnane hand wrote a letter from Mr. Petrozzi to the Planning Board granting the extension to the Planning Board. Mr. Petrozzi signed this extension document.

**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**

Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin, the board voted unanimously in favor to continue the public hearing, without testimony taken until January 10, 2012 at 7:30 p.m. in the Champagne Meeting Room.

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

Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin, the board voted unanimously in favor to continue the public hearing, without testimony taken until January 10, 2012 at 7:30 p.m. in the Champagne Meeting Room.

**Discussion of Electronic Survey Related to Comprehensive Plan Update**

Mr. Wiggin said at the last meeting of the Comprehensive Plan Steering Committee a survey was presented by Mary Masi Phelps to solicit additional input from residents regarding some of the topics

**Westwood Planning Board  
Meeting Minutes  
December 13, 2011  
7:30 PM  
Champagne Meeting Room**

and direction that have emerged from the Committee's discussions. Ms. Masi Phelps asked the Steering Committee to take the draft survey, on-line via *Survey Monkey*. Feedback from the Committee members was incorporated to further revise the survey. Ms. Masi Phelps is now asking for feedback from the Planning Board. (The draft survey is included with these minutes or located online at <http://svy.mk/wwdPlanSurvey>).

The survey will be publicized on the town website, to the printed and online press, the school department, senior center, etc. The survey would be active online for one month.

Mr. Olanoff suggested that the email distribution list for weekly town meetings notices would be a good way to publicize the survey.

Ms. Masi Phelps said she would work with Donna McClellan on this.

Ch. Rafsky thanked Ms. Masi Phelps for the great work done on the survey. He suggested using an even number of choices per question in the survey.

Mr. Wiggin said the results of the survey will help provide direction for the Comprehensive Plan Update. In addition, a follow-up survey may be created in response to this survey. It is expected that the survey will be launched right after the holidays.

**Discussion on draft FMUOD Revisions to Planning Board Rules and Regulations**

Ms. Loughnane said this draft FMUOD Rules and Regulation distributed this evening incorporates the edits requested by board members. Please see the attached draft with the revisions.

Board members discussed additional edits which will be incorporated into the draft by Ms. Loughnane.

Upon a motion by Mr. Montgomery and seconded by Mr. Olanoff, the board voted unanimously in favor to adopt the FMUOD Rules and Regulations with the revisions discussed.

**Continuation of Public Hearing for Consideration of Revisions to Planning Board Rules and Regulations**

Upon a motion by Mr. Montgomery and seconded by Mr. Olanoff, the board voted unanimously in favor to continue this hearing until January 24, 2012 at 7:30 p.m. in the Champagne Meeting Room.

Upon a motion by Mr. Montgomery and seconded by Mr. Wiggin, the board voted unanimously in favor to adjourn the meeting at 9:50 p.m.

**Westwood Planning Board  
Meeting Minutes  
December 13, 2011  
7:30 PM  
Champagne Meeting Room**

**List of Documents, Materials and Exhibits**

Copy of 2-page plan showing minor modifications of approved Site Plan for Fox Hill Village Dementia Care Cottages

Copy of email from Tony Amico to Nora Loughnane regarding tree and shrub replanting along Rte. 109

Copy of Letter from M. Mouhanna, 480 Summer Street, Westwood, MA 02090, dated 11/23/11 to Planning Board re: request for extension of Special Permit

Copy of Draft Decision for Reynold's Farm Senior Residential Development

Copy of Draft Westwood Comprehensive Plan Survey V2

Copy of Draft FMUOD Rules and Regulations