

Westwood Planning Board
Meeting Minutes
October 27, 2009
7:30 PM

Board Members Present: Ch. S. Olanoff, R. Malster, J. Wiggin and B. Montgomery.
S. Rafsky was absent.

Staff Present: N. Loughnane, Town Planner & G. Garber, Community Development Advisor.
Minutes were recorded by J. Barba, Land Use Assistant.

Ch. Olanoff called the meeting to order at approximately 7:40 PM.

**Public Hearing to Consider Application for Amendment of Wireless Communication Facility
Special Permit for Clear Wireless LLC – 60-90 Glacier Drive**

Ch. Olanoff opened the public hearing with a reading of the legal notice.

Ted Hoyt, Esq., was present on behalf of the Applicant. Mr. Hoyt requested approval for the installation of three (3) new panel antennas within the existing eighty-five (85) foot monopole, at a height of fifty-seven (57) feet centerline, along with the installation of associated cabling, cabinetry and equipment on an existing concrete pad within the fenced compound. He stated that additional associated equipment included a small GPS antenna mounted on the radio equipment cabinets, as well as an ice bridge and coaxial cable run between the radio cabinets and the monopole base. Mr. Hoyt noted that the antennas will be collocated entirely within the existing monopole.

Mr. Hoyt explained that the Applicant wishes to amend a special permit dated November 27, 2001, granted pursuant to then Section 9B(e)(3) and Section 16B, now Section 9.4, of the Westwood Zoning Bylaw, and subsequently amended on January 21, 2003, October 25, 2005, and June 23, 2008, for approval of the same pursuant to Section 7.3 of the Westwood Zoning Bylaw. He gave a brief presentation to the board stating that the proposed installation is similar, using the same antenna centerline and equipment space, as the proposed installation that was approved for Nextel back in October 2005, but was never installed. Mr. Hoyt said that Sprint and Nextel have now merged and that Sprint will use this equipment for Mobile Wi-Max data technology.

Mr. Malster asked questions about this new type of technology proposed. Mr. Hoyt responded that is similar to voice technology but involves the transmission of data. Mr. Wiggin asked about the relationship between the property owner and Clear Wireless LLC. Mr. Hoyt stated that Clear Wireless LLC is a tenant of Bay Properties, the property owner. Mr. Olanoff asked if the installation of the antennas would require removal of any equipment to install the new antennas. Mr. Hoyt said the "sleeve" around the antenna would be removed to install the new equipment and then put back into place. Mr. Wiggin asked if there were any public health issues associated with this technology. Mr. Hoyt stated that this technology is in full compliance with state and FCC regulations.

There was a discussion about the lapse of the special permit granted to Nextel for failure to install the approved antennas within the permitted timeframe. There was also discussion of the status of the Applicant in relation to its lease with the property owner. Ms. Loughnane stated that each amendment to the special permit has been viewed to restart the five-year period for the validity of the entire special permit. She said that she would consult with town counsel for an opinion on the date of expiration of this amended permit, and would advise the Applicant of proper procedure for the renewal of the special permit when such becomes necessary.

Ch. Olanoff opened the hearing to the public for questions and comments. No questions were asked and no comments were made.

Upon a motion by Mr. Malster and seconded by Mr. Montgomery, the board voted unanimously, with four members in favor, to close the public hearing.

Board members reviewed the language of the draft decision prepared by Ms. Loughnane and discussed the proposed conditions. Upon a motion by Mr. Wiggin, and seconded by Mr. Malster, the board voted unanimously, with four members in favor, to grant the amendment to the special permit, with the conditions discussed.

The public hearing ended at approximately 8:05 P.M.

Update on Zoning Amendments for Town Meeting

Ms. Loughnane asked the board to prioritize the list of proposed amendments to the Zoning Bylaw and determine which items should be further developed for consideration at the 2010 Annual Town Meeting. Mr. Olanoff asked Ms. Loughnane to briefly outline of each proposed zoning amendments which had been proposed. Ms. Loughnane replied as follows:

- Removal of the entirety of Section 8.5 Major Residential Development (MRD) and replacement with a new Open Space Residential Development (OSRD) section;
- Revision of Section 8.6 Senior Residential Development (SRD) with respect to minimum parcel size;
- Amendments to Section 2.0 [Definitions] and Section 4.1 [Principal Uses] to designate separate categories for restaurants, fast food establishments, coffee shops and ice cream parlors, similar to designations currently used in Needham;
- Amendments to Section 6.1 [Off-street Parking] to revise parking lot landscape requirements, similar to requirements currently used in Mansfield;
- Change to Highway Business District (HB) for several residentially-zoned lots on Route 1 which have historically contained non-residential uses; and
- Adoption of revised Official Zoning Map, including corrections of identified errors and clear district designation of town-owned parcels.

Mr. Malster stated that revisions to the SRD section of the Zoning Bylaw should be made following the complete review of that section by a subcommittee including Senior Housing advocates. He added that he would like to have active participation from the Economic Development Advisory Board in the development of any proposed changes to fast food establishment definitions and any changes to zoning districts along Route 1. Mr. Malster stated that these items needed a full public vetting prior to Town Meeting. He also stated that he was not in favor of substantial changes to the parking lot landscape requirements.

Mr. Montgomery said that he had experienced the Mansfield parking lot landscape requirements from an applicant's point of view and found them to be far more user friendly than the current requirements in Westwood. He asked that board members give serious consideration to revisions that are in line with Mansfield's requirements.

Ch. Olanoff stated that he had wanted to propose changes to the parking lot landscape requirements at the last Town Meeting, and said that he would like the board to be sure to address this in time for the 2010 Town Meeting. He said that he would also like to work on changes to zoning requirements in the High Street Local Business District, which have been talked about for years but never implemented.

Mr. Wiggins stated that substantial changes to the zoning map should come out of a comprehensive process, and suggested that such changes would naturally follow an update to Westwood's Master Plan. Ch. Olanoff agreed but stressed the importance of correcting errors and adopting a revised Official Zoning Map as soon as possible.

Ch. Olanoff said that the Planning Board had to address the invalidity of the MRD section of the Zoning Bylaw at this Town Meeting. He told the board that Mr. Garber was here to introduce the concept of Open Space Residential Development, for the board to consider in place of the current MRD section.

Flexible Development/Open Space Residential Development (OSRD) Workshop – Glenn Garber

Mr. Garber gave a presentation touching on the following areas:

- MRD Resolution: Legal Issues Requiring Municipal Remediation
- OSRD & Cluster-type Laws in MA
- Major Residential Development Thresholds & Dual Submission Provisions in MA
- MRD Resolution: A General Strategy in the Westwood ZBL
- MRD Resolution: What is Open Space Residential Development-I?
- MRD Resolution: What is Open Space Residential Development-II?
- MRD Resolution: How do You Get Developers to Use OSRD Instead of Conventional?
- MRD Resolution: Options for Establishing Density Entitlement
- MRD Resolution: Subtracting Wetlands or Not in Density Calculations?
- MRD Resolution: In What Westwood Residential Districts Should OSRD-4 Apply?
- MRD Resolution: What are the Issues with the Flexible Development Provision?
- OSRD Design Issues: Minimum Required Tract Area
- OSRD Design Issues: Minimum Required Open Space
- OSRD Design Issues: Housing Mix and Interior Density

There was a general discussion among the board members and Mr. Garber about the need to educate the Finance Commission and the Board of Selectmen about the advantages of Open Space Residential Development (OSRD). Mr. Garber stated that educating the general public, well in advance of the annual town meeting, about OSRD would be imperative. He stated that the objectives, purpose, and incentives should be highlighted for the voters as well as for developers. Ch. Olanoff asked Mr. Garber to create an outline clarifying the finer points of OSRD and return to the board at the next meeting.

Schedule Meeting with Finance Commission

Ms. Loughnane stated that the Finance Commission has requested a meeting with the planning board to discuss articles for special town meeting, on December 14th. Location and time will follow.

295 University Avenue

Ms. Loughnane informed the planning board that the Zoning Board of Appeals was scheduled to hear an application at its November 18th meeting for a special permit under Section 9.3 [Water Resource Protection Overlay District (WRPOD)] submitted by Chase Corporation for 295 University Avenue. She stated that Chase Corporation had not proposed any exterior changes to the facility, and thus would not be filing an EIDR application with the Planning Board. Ms. Loughnane noted that the ZBA special permit was related to the use and storage of hazardous materials within an existing building. She asked board members if they had any comments for the ZBA on this matter. No board members wished to comment on the special permit application.

401 Sandy Valley Road Update

Ms. Loughnane updated the board on the status of an appeal to the DEP of the Conservation Commission order of conditions for Wildstar Farm. She stated that revisions to the wetlands delineation were being considered, and that changes to the proposed site plan may follow.

837 High Street

Ms. Loughnane informed the board that the Conservation Commission had denied the St. Margaret Mary's Parish Request for Determination, and had required the filing of a full Notice of Intent for the earth material movement and new parking lot. She said that she expected the applicant to request a further continuance of the hearings currently scheduled for November 24th.

The meeting adjourned at approximately 9:40 P.M.

The next meeting is scheduled for Tuesday, November 10th at 7:30 P.M., at 50 Carby Street.