

Town of Westwood Planning Board
Meeting Minutes
Location: 50 Carby Street
June 23, 2008
7:00 PM

Board Members Present: Chairman Robert Malster, Robert Moore, Steve Olanoff, and Bruce Montgomery and Henry Gale.

Staff Members Present: Nora Loughnane, Town Planner; John Bertorelli, Town Engineer; and Peter Alpert, Esq., Ropes & Gray.

Chairman Malster opened the meeting at approximately 7:20 p.m.

Approval Not Required (ANR) Plan Application – 541 Gay Street

This application was submitted at the June 10, 2008 meeting of the Planning Board and a determination was made by the board that such plan would not require approval under the Town's subdivision regulations. At that meeting, Ms. Loughnane noted that the language on the proposed plan called for Parcel B to be "transferred to the owners of 519 Gay Street". She requested that the wording be changed to "combined with AP 22, Lot 71" in order to prevent the creation of a new lot without proper street frontage. At the June 10th meeting, Chairman Malster asked Mr. Myers to change the wording on the plan and submit a corrected plan to Ms. Loughnane. Mr. Myers made the requested change and Ms. Loughnane presented the revised plan to the Planning Board for endorsement. The revised plan was endorsed by the Planning Board

Informal Review of Plans in Advance of Public Hearing for Second Modification of Phillips Estates Definitive Subdivision Plan

An application to the Planning Board was made on November 15, 2007, for a modification of the previously approved and modified definitive subdivision plan for Phillips Estates. The purpose of this second modification request is to permit the relocation of the proposed drainage retention basin from lot 4 to an lot 6. The proposed modification also includes adjustments to the lot lines.

Ms. Loughnane stated that Town Engineer John Bertorelli had reviewed the application and plans and had no objection to the proposed modifications. Ms. Loughnane expects to receive a memo from Mr. Bertorelli, prior to the July 8, 2008 public hearing, recommending the Planning Board's approval of the proposed modifications. Ms. Loughnane noted that she had also discussed the application with Health Director Linda Shea. She stated that, although Ms. Shea had no objections to the proposed modifications, she would not be able to provide a memo until she had received payment of the required Board of Health filing fee.

Mr. Olanoff asked if the guardrail that was required as a condition of approval of the first modification was shown on the plans for the second modification. Mr. Merrikin said that it was not shown but would be added. Mr. Olanoff requested that, in addition to the guardrail, other items addressed in the conditions of approval for the first modification which are still relevant, be included on the plans for the second modification, including those items set forth in conditions 9-13, 21, 24 & 25.

Informal Review of Plans in Advance of Public Hearing for EIDR of Mercedes-Benz Dealership - 425 Providence Highway and 100 Everett Street

The owners of the Mercedes-Benz dealership expressed their interest in purchasing the abutting property at 100 Everett Street, also known as the Mullin site. They have requested

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and received and extension of the Board of Appeals Special Permit for the Mercedes property to include the Mullin site.

The applicant intends to remove the existing 2,500 square foot structure on this parcel, regrade and resurface the lot, and add a number of 4" caliper trees and shrubs along Everett St. The total impervious surface would remain under the 80% maximum allowed. The proposed project would include the addition of 154 parking spaces for the parking and storage of vehicle inventory and for employee parking. A designated area would also be used for the loading and unloading of inventory. No changes would be made to the existing Mercedes lot.

The application stated that the proposed development plan would enhance the operational flow, allowing all operations to occur on one contiguous site, and reduce traffic on Providence Highway and Everett Street through the use of an internal road between the two lots.

A memo dated June 12, 2008 from Safety Office Paul Sicard was received by the Planning Board. Sgt. Sicard expressed concerns with possible theft of inventory, and recommended that the proposed shrubs along Everett Street be limited in height. Sgt. Sicard also expressed a desire for the area to remain well lit at night.

Chairman Malster asked if the proposed lighting plans were in compliance with the standards set forth in the Zoning Bylaw. The applicant replied that the lighting plan, when viewed in the aggregate, was in compliance, but that certain sections of the lot would display higher lumens, while other sections would display very low lumens. Mr. Olanoff suggested that any concerns about possible theft be addressed through the use of surveillance equipment. He stated that bright lights and breaks in the landscaping are not effective crime deterrents. Mr. Olanoff said that the property owners should provide security for their property and not simply rely on passers-by to detect criminal behavior and call the police.

Chairman Malster asked if the proposed landscaping plans were in compliance with the standards set forth in the Zoning Bylaw. The applicant replied that the landscape plans had not been completed, but that they were considering requesting a waiver of certain requirements. Ms. Loughnane noted that the Planning Board has the authority to grant waivers of screening requirements under certain conditions, but that such waivers seem to only be permitted in consideration of a special permit. She stated that the application was filed for Environmental Impact and Design Review only, and that the applicant must let her know before the end of the week if they wished to apply for a special permit as well, so that the public hearing could be properly noticed.

A letter dated May 27, 2008 from the Economic Development Advisory Board was received by the Planning Board. In this letter, the EDAB expressed its unanimous support of the proposal by Prime Motor Group, and noted a number of benefits for both Prime Motor Group and the Town of Westwood, including increased personal property taxes of approximately \$70,000, traffic reduction, environmental benefits, improved visual appearance of Mercedes and Mullin sites, and improved operational flow for Prime.

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Consideration of Request to Remove Covenant on Lot 4 in Approved Howard Estates Definitive Subdivision

Ms. Loughnane reported that Charles and Jane Howard of 267 Dover Road, submitted a letter to the Planning Board on June 19, 2008, requesting a modification of the performance covenant granted October 16, 2006, as security for the approved Definitive Subdivision for Howard Estates. Mrs. Howard told the planning Board that she and her husband have a buyer for the rear lot known as lot 4. She said that the buyer intends to keep the land in its undeveloped state, and eventually donate the land for conservation. As such, Mrs. Howard explained, she and her husband see no reason to complete the construction of the proposed road to access lot 4. Mrs. Howard requested that the wording of the covenant be changed so that the covenant no longer prevents conveyance of lot 4, but instead prevents the issuance of a building permit for any construction on lot 4. Chairman Malster asked Ms. Loughnane to draft a modification of the covenant for review by Town Counsel Thomas McCusker. He stated that the Board could sign such a modification, if approved by Mr., McCusker, at its July 8th meeting.

Notice of Decision - MetroPCS Massachusetts LLC for EIDR and Special Permit to Install Wireless Communication Antennas on Existing Communications Facility at 60 Glacier Drive

Ms. Loughnane presented a Notice of Decision for EIDR approval and amendment of the Special Permit to install wireless communication antennas on the existing communications facility at 60 Glacier Drive for signature by the Planning Board. She stated that copies of the draft decision had been circulated to all members of the planning board, and that all recommended revisions had been incorporated in the final Notice of Decision. The Planning Board signed the Notice of Decision, a copy of which is included as an appendix to these minutes.

Approval of Minutes for Prior Meetings

Ms. Loughnane presented the Board with drafts for the planning board meetings of May 15, 2008, May 21, 2008, June 10, 2008 and June 17, 2008. A motion was made by Mr. Moore and seconded by Mr. Gale, and the Board voted unanimously to accept the presented minutes.

Chairman Malster opened the Westwood Station public hearing portion of the meeting at approximately 8:15 p.m.

Continuation of Planning Board Public Hearing: Amendment #1 to the MPSP for the Westwood Station Area Master Plan

Continuation of Planning Board Public Hearing: EIDR for Phase 1B of the Westwood Station Area Master Plan

[A verbatim transcript of this public hearing entitled Westwood Station Subdivision Hearing, Monday, June 23, 2008, 8:30 p.m. at 50 Carby Street, Champagne Meeting Room, Westwood, Massachusetts 02090, Robert C. Malster, Chairman; Steven H. Olanoff, Vice Chairman; Robert E. Moore, Jr., Secretary; Bruce H. Montgomery, Member; Henry W. Gale, Member; Nora Loughnane, Town Planner; John Bertorelli, Town Engineer, Peter Alpert, Esq.; Ropes & Gray. Pages 1-74, transcribed by G&M Court Reporters, Ltd., 42 Chauncy Street, Suite 1A, Boston, MA

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02111-2211 will serve as the official minutes. A copy of this transcript is in the Westwood Station file.]