

**Town of Westwood Planning Board
Meeting Minutes
50 Carby Street
June 26, 2007
7:00 PM**

Board Members Present: Steven Olanoff, Bob Moore, Rob Malster, Bruce Montgomery

Staff Members Present: Diane Beecham, Town Planner; John Bertorelli, Town Engineer

Public Hearing: Application for Site Plan Review for 100 High Street

Applicant: Tony Nakhle

Address: 100 High Street

Project: Change of use from Residential to Office for a building located at 100 High Street and the construction of a 26-space parking lot

In Attendance: Ned Richardson, Esq., representing the Applicant, Tony Nakhle

Mr. Richardson stated that since the previous hearing, a number of the outstanding issues have been addressed. In a letter dated June 26, 2007, [in the record file], the Town Engineer, Mr. Bertorelli, reviewed the status of the project and noted the following:

- The caliper of trees has been changed to be in compliance with the zoning bylaw;
- the outlet control on the plan has been changed to show a 15-inch pipe;
- all pipe connections on the DMH sheet have been included;
- the Conservation Commission has been scheduled to address the NOI filing;
- erosion control barriers have been proposed;
- 80% of TSS removal calculations have been provided;
- LID is being used in the design of the detention basin; and
- the cesspool will be abandoned which will be coordinated with the Board of Health.

Mr. Bertorelli stated that the traffic study remains outstanding and has not been updated.

Mr. Todd Blake of Traffic Solutions, Inc. stated that he will present the requested traffic analysis. Mr. Blake provided detailed diagrams to the Planning Board showing gross trip generation during morning and evening peak hours for the existing use and with the proposed office use. The net increase in traffic as a result of the project is an increase in approximately 50 trips per day. The net increase during the AM and PM peak hours is minimal, approximately 10 vehicles per peak hour. The net result will have a negligible impact on the adjacent street network and the nearby signalized intersection.

Mr. Blake stated that he was requested to review two alternative sites for a

proposed curb cut onto Route 109. He indicated that both sites require new driveways to be constructed, with an approximate 17 percent slope, which is higher than the Town allows. Both alternatives require about a 125 foot weave from the existing unrestricted right turn lane from the Lowder Brook intersection; about 4,000 square feet of additional pavement; and the cutting down of additional trees. It is Mr. Blake's recommendation that the existing drive is the best solution, because it has minimal impacts relative to the alternatives and also conforms to the Town bylaws and regulations.

In response to Traffic Solutions' presentation, Mr. Bertorelli asked what would be a recommended weave. Mr. Blake suggested that 600 feet would be a better distance for a weave pattern. Mr. Bertorelli also concurred that a 17 percent slope on the driveway is out of the question, and that to decrease this slope would involve more retaining walls and more tree removal. For these reasons, Mr. Bertorelli also concurs that the existing access from the driveway that accesses Lowder Brook Drive is the best solution.

Mr. Tim Burke, the civil engineer for the Applicant gave a brief presentation outlining the detention basin and the possibility of using LID storm water management practices. Mr. Burke stated that the proposed parking lot stormwater management is as low impact as possible and that the detention basin, rain guards, recharge areas have been addressed with sump pump and low-flow channels. He further stated that the storm water management meets the local bylaw and state regulations and that there will be no discharge onto the Meditech property.

Mr. William O'Toole, Esq., Corporate Counsel representing Meditech, was present at the public hearing to comment on the proposed project. Mr. O'Toole stated that any decision regarding the project should be postponed until the basic facts regarding use of Meditech's property are determined. Mr. O'Toole stated that he was unable to find notation on the company's deed stating "private way open and dedicated to public use" from the portion of Lowder Brook that is accessed by 100 High Street. Meditech strongly believes that granting a change of use for 100 High Street will make an already bad traffic situation worse.

Mr. Richardson presented a copy of the Quitclaim Deed for Westwood Executive Center Limited Partnership, in which language does provide for "the right to pass and repass on foot and in vehicles over that portion of the herein Grantor's other land at the entrance to the Westwood Executive Center running from the southerly end of the so-called Old High Street adjacent to the property granted herein along the northerly line of Grantor's other land and easterly side of High Street, to the easterly edge of Lowder Brook Road, a private way, and over Lowder Brook Road to High Street, Route 109."

Mr. Olanoff asked if the two parties would agree to work cooperatively on this issue. Mr. O'Toole stated that this has been the case but overall Meditech does not agree that this is the safest solution. Mr. Richardson argued that the Quitclaim Deed states "traffic patterns shall be observed and followed from time to time". Mr. Olanoff asked who controls the traffic signals at the location. Mr. Bertorelli stated

that the Meditech controls the signals. Mr. O'Toole stated that ever since median on Route 109 in front of Grove Street was closed, the problems have been exacerbated.

Mr. Toole suggested one way to rid Meditech of the possible liability issue with respect to this land is a friendly land taking by the Town.

Mr. Montgomery asked if anyone knew the history of traffic accidents at this intersection. He further stated that Route 109 has become more dangerous at this intersection.

Mr. Richardson stated that he does not think the Applicant should be held up further with respect to their application based on the current problems with the Route 109/Lowder Brook intersection and that this is not the matter before the Planning Board. Chairman Malster agreed that what is at hand is site plan review and the Applicant has met those requirements.

On a motion by Bruce Montgomery and seconded by Bob Moore, on a vote of three in favor and one disapproval, the Board voted to approve the application to change the use from residential to office for a building located at 100 High Street and the construction of a 26-space parking lot.

Continuation of Public Hearing: Application for a Senior Residential Development at High Rock Village

Applicant: Tremont Redevelopment Corporation/Michael Lombardi

Address: 30+-acre parcel in vicinity of High Street and Mill Street

Project: Approximate 88-unit Senior Residential Development

[A verbatim transcript of this public hearing entitled "TOWN OF WESTWOOD Application for Special Permit for the Residences at High Rock Village, 1255 High Street, Route 109 Westwood, Massachusetts 02090, HEARING, Tuesday, June 26, 2007 7:30 p.m. – 10:30 pm at Westwood Town Hall, 50 Carby Street, Westwood, Massachusetts 02090, Robert C. Malster, Chairman; Steven H. Olanoff, Vice Chairman; Robert E. Moore, Jr., Secretary; Member; Bruce H. Montgomery, Member; Diane Beecham, Town Planner; John Bertorelli, Town Engineer, Pages 1 – 120, transcribed by Janey Associates, P.O. Box 365355 Boston, MA 02136 will serve as the official minutes. A copy of this transcript is in the High Rock Village file.]

Westwood Station Request for Extension of Consolidated Special Permit Public Hearing Date

The four members of the Planning Board voted unanimously to grant the Applicant's written request to extend the time from which to open the public hearing for the abovementioned Application, which was filed on March 16, 2007, beyond the sixty-five (65) days as required by M.G.L. chapter 40A, section 9 to July 11, 2007. This request was filed with the Town Clerk on June 22, 2007.

The meeting was adjourned at 10:30 pm.