

**Town of Westwood Planning Board
Meeting Minutes
Selectmen's Meeting Room – Town Hall
November 14, 2007
7:00 PM**

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

Staff Members Present: Diane Beecham, Town Planner; John Bertorelli, Town Engineer; Westwood Station Peer Review Consultants: Peter Alpert, Esq., Ropes & Gray; Nancy Kolb; Bill Cranshaw, VHB.

Chairman Malster opened the meeting at approximately 7:15 pm.

Continuation of Westwood Station Subdivision Public Hearing: Application for Definitive Subdivision Plan Approval

Applicant: CFRI/Doherty with Cabot, Cabot & Forbes & Commonfund Realty in collaboration with New England Development.

Address: 22 Marymount Ave., 213 Rosemont Rd., 9 University Ave., 105 Rosemont Rd., 50 Rosemont Rd., 50 Rosemont Rd., 145 University Ave., 165 University Ave., 47 Harvard St., 201 University Ave., 245 University Ave., 35 Harvard St., 730 Canton St., 40-46 Harvard St., & 160 University Ave.

Project: Westwood Station Area Master Plan – Redevelopment of 134 Acres of University Avenue

[A verbatim transcript of this public hearing entitled Westwood Station Subdivision Hearing, Wednesday, November 14, 2007, 7:09 p.m. at 580 High Street, Westwood, Massachusetts 02090, Robert C. Malster, Chairman; Steven H. Olanoff, Vice Chairman; Robert E. Moore, Jr., Secretary; Bruce H. Montgomery, Member; Diane Beecham, Town Planner; John Bertorelli, Town Engineer, Pages 1-3, transcribed by G&M Court Reporters, Ltd., 42 Chauncy Street, Suite 1A, Boston, MA 02111-2211 will serve as the official minutes. A copy of this transcript is in the Westwood Station file.]

On a motion by Robert Moore and seconded by Bruce Montgomery, the Planning Board voted unanimously to immediately continue the Westwood Station Definitive Subdivision Plan public hearing without taking any testimony to December 4, 2007 at 7:00 p.m. at 50 Carby Street.

Continuation of Deliberations on the Westwood Station Special Permit Decision

Attorney Alpert stated that this evening's deliberative process focuses on the Special Conditions of Traffic, Parking Monitoring, Roadway and Utility Construction and Maintenance.

3. Special Conditions Governing the Regulation, Mitigation and Monitoring of the Project's Traffic Related Impacts

(a) Consistent with the proposals set forth in the Application, Applicant shall design and construct the following off-site roadway and intersection improvements at the locations and in the manner shown in the Approved Plans:

- Canton Street at University Avenue;

- Dedham Street Interchange;
- Blue Hill Drive off-ramp connecting Route 128 Southbound to Westwood Station Boulevard;
- Blue Hill Drive cul-de-sac and new connector roadway extending west from the cul-de-sac to Whitewood Road, including signage at the intersection of Blue Hill Drive and Canton Street;
- University Avenue from the MBTA north driveway to Blue Hill Drive, including approaches thereto;
- Modification of the alignment of Westwood Station Boulevard between NSTAR Way and Canton Street, to the extent such modification involves the use of land outside the Project Site boundaries and;
- Construction of the Canton Street, Westwood Station Boulevard and Oceana Way intersections consistent with the performance and design standards set forth in Special Condition 3(h) below.

Offsite improvements to Canton Street shall include upgrading the guardrail leading and trailing ends to the bridge over the rail spur located at Sta.8+00 along Canton St.

(b) To the maximum extent practicable, traffic regulatory signage, snow storage, sight shelves, landscaping, sidewalks and other roadway-related appurtenances typically located within the non-traveled portion of a public right of way shall be located within the formally delineated limits of all Project Roadways.

(c) For any location where traffic detection or control devices and equipment fall outside the public right of way and within property owned or controlled by the Applicant, the Applicant shall convey appropriate maintenance easements to the Town.

(d) The Dedham Street Off-ramp shall not be placed in operation until Westwood Station Boulevard is operational for its full length from Canton Street to Blue Hill Drive. Traffic signals along Westwood Station Boulevard at its intersections with Harvard Street, NSTAR Way/Market Street, and Market Place shall not be placed in full stop and go operation until (i) traffic counts have been completed and full operation of such signals is found to be warranted in accordance with the then-current edition of the Manual on Uniform Traffic Control Devices as adopted in the Commonwealth of Massachusetts, and (ii) the Board of Selectmen, in its capacity as the Town's road commissioners, determine that full signal activation is appropriate. Please see attached for more detailed information.

(e) Traffic signals installed in connection with the Project shall be part of a closed loop signal system.

(f) During the EIDR process for Buildings 2C and 2D the Applicant will demonstrate that the Cabot Place Loop will be able to simultaneously serve the following functions: hotel drop/off/pick-up/registration corridor; shuttle bus drop-off and layover area of the shuttle bus services required pursuant to the Transportation Demand Management conditions of this Decision; and an active pedestrian corridor linking the Project Site to the MBTA station.

(g) Upon execution of the Final Development Agreement, the Applicant shall deposit \$1,000,000 or the Budget Amount (as defined below), whichever is greater, into an escrow account ("Traffic Calming Escrow") for the Town to use exclusively for the design and implementation of traffic calming measures along the Canton Street corridor,

including the neighborhood bounded by Everett Street and Forbes Road, between the East Rotary and Westwood Station Boulevard.

(h) The applicant shall design and construct the Westwood Station Boulevard, Canton Street, and Oceana Way intersection consistent with the following design, performance and operational standards: [to be listed].

(i) The Applicant shall develop and implement a holiday shopping traffic management plan ("Holiday Plan") to manage the projected increase in traffic and parking demands during the period from Thanksgiving to New Years Day.

(j) Valet parking services shall be prohibited in all Parking Facilities.

(k) Following the issuance of the First Certificate of Use and Occupancy, the Applicant will monitor Project-related traffic in accordance with this Special Condition 3.

Monitoring Frequency

Unless specifically provided otherwise, monitoring shall occur semi-annually in October and March. Unless provided otherwise, monitoring during each semi-annual event shall occur during the morning peak period, evening peak period on a weekday and on a Saturday between 11 a.m. and 4 p.m.

Monitoring Methods

The corridor monitoring shall be conducted using permanent traffic counting stations installed and maintained by the Applicant at the following locations, among others that may be necessary in order to achieve the goals of the program:

- Westwood Station Boulevard between Common and Market Streets;
- Westwood Station Boulevard between Market and Greenlodge Streets;
- Westwood Station Boulevard between Harvard and Canton Streets;
- University Avenue between Market Street and Westwood Station Boulevard;
- University Avenue immediately south of its intersection with Harvard Street;
- Along the Blue Hill Drive ramp connecting to Westwood Station Boulevard; and
- Market Street between Cabot Place and Westwood Station Boulevard.

In pavement inductive loop detectors shall be the means by which counts are taken at each station, with one detector per lane provided. Additional technical details regarding the design and operation of the counting stations shall be determined in consultations between the Applicant and the Town Engineer.

Intersections to be Monitored

- University Avenue at Canton Street;
- Canton Street at Westwood Station Boulevard (including Oceana Way);
- University Avenue at Harvard Street
- Westwood Station Boulevard at University Avenue and Rosemont Street
- Westwood Station Boulevard at Common Street
- Westwood Station Boulevard at Greenlodge and I-95/Rte. 128 southbound off-ramp (subject to MassHighway's approval)
- Westwood Station Boulevard at Market Street
- Market Street at Cabot Place

Standards for Evaluating Monitoring Results

Prior to the construction of any Buildings in Phase II, monitoring results shall be compared with the projections contained in the Application for design year 2013, adjusted to reflect the year in which counts are actually conducted.

If counts in the Westwood Station Boulevard corridor and approaches are five percent or higher than those projected in the Application, or ten percent or higher than those projected in the Application for other corridors, then the base roadway network within the area between Canton Street, University Avenue, Route 128 and Westwood Station Boulevard shall be re-analyzed.

Spot Counts at Intersections External to Project Site

Following the issuance of the First Certificate of Use and Occupancy and prior to the issuance of a Certificate of Use and Occupancy for a Building in Phase II, spot counts shall be conducted at the following locations on an annual basis in October to verify the Application's projects for these intersections in Design Year 2013. Following the issuance of a Certificate of Use and Occupancy for a Building in Phase II, the results of these spot checks shall be compared to the Application's projections for the Design Year 2023.

- Nahatan Street at High Street
- Nahatan Street at Clapboardtree Street
- High Street at Sheehan School end of Pond Street
- Clapboardtree Street at Route 1A

If the spot counts conducted at these locations disclose counts that exceed those projected in the Application for the relevant adjusted design year by ten percent or more, then, in consultation with the Town Engineer, the Applicant shall perform further study to determine if the increase is attributable to the Project or to non-Project-related traffic. The results of such further study shall be reported in the next CMR. If the study concludes that the increase is entirely or predominately related to the Project, then the CMR shall propose a set of mitigation measures.

Corrective Measures at Specified Intersections

Specific corrective measures will be required at key Project intersections in response to non-compliant monitoring data.

- Area of Westwood Station Boulevard and Market Street
- Market Street at Cabot Place

Canton Street Cut-Through Monitoring

Until the earlier of eight years after the opening of Dedham Street off-ramp and one year after the commencement of mainline construction on the I-95/I-93 interchange improvements, the Applicant shall conduct semi-annual traffic counts in the Canton Street corridor to determine the amount of cut-through traffic that may result from the construction and operation of the Dedham Street Off-ramp.

Canton Street, Everett Street and Forbes Road Monitoring

Following the issuance of the First Certificate of Use and Occupancy, the Applicant shall conduct semiannual traffic counts and license plate surveys to determine the volume of Project-related vehicles using the Canton Street, Forbes Road and Everett Street corridors. Traffic count locations shall cover the following locations:

- The intersections of Westwood Station Boulevard at Canton Street and Canton Street at University Avenue;
- Canton Street at Forbes Road;
- Canton Street at Everett Street;

- Everett Street at Forbes Road;
- Everett Street at University Avenue;
- University Avenue at Harvard Street;
- Westwood Station Boulevard at Harvard Street.

[There was some discussion amongst the Board members about clarifying the language here.]

Mr. Bill Cranshaw reviewed the following sections:

4. Special Conditions Regarding the Monitoring and Use of Parking Facilities and Project Roadways

Transportation Monitoring Reports

(1) *Project Build-out Status.* Each CMR shall include a summary of the amount of Building space at the end of the Monitoring Year that is (1) currently occupied, (2) leased but not occupied, (3) available for lease, and (4) under construction. The summary shall list space by the following types:

1. Retail and Restaurants
2. Office
3. Residential
4. Hotel
5. Fitness
6. Public Safety and Community Space
7. Utility

(2) *Vehicle Trip Generation.* Each CMR shall include a comparison of data actually derived from the vehicle counting system installed pursuant to Condition 3(j) of this Decision, Trip Generation (Driveway) Counts (“Measured Trip Generation”) with predicted vehicle counts derived using a trip generation model that incorporates the methodologies included in the Application (“Anticipated Trip Generation”). Such comparison may be set forth in the form attached as Exhibit _ (“Trip Generation Model”) to this Decision. The comparison will separately describe: (1) the average of the counts for Tuesdays, Wednesdays and Thursdays during all weeks of the year; and (2) the average for all weeks of the year for Saturdays. The comparison shall analyze the data for each of the following conditions:

1. Weekday morning peak hour trips
2. Weekday evening peak hour trips
3. Weekday daily trips
4. Saturday peak hour trips
5. Saturday daily trips

[There was a discussion amongst the Board as to what will be done with the trip generation data that is collected. Attorney Alpert stated that data will be used as a diagnostic tool to enforce sanctions.]

(3) *Parking Generation.* There shall be no more than 11,700 cars parked within the Project Site at any time after Full-Build. Within Parking Facilities, vehicles may only be parked within marked parking stalls. Each CMR filed subsequent to Full-Build

shall contain information that compares the Project-wide parking occupancy counts for each day of the year with this parking occupancy limit.

(4) *Residential Parking Ratio.* Each CMR shall include the ratio of the number of parking spaces assigned to or used by the occupied residential units to the number of such occupied residential units ("Residential Parking Ratio"). If the Target Mode Share for Residential uses, as defined in condition 5(b) is exceeded, the Applicant shall take corrective action including limiting the balance of unoccupied dwelling units to a Residential Parking Ratio of 1.5 or such other corrective action as may be proposed by the Applicant and approved by the Board.

(5) *Trip Generation (Driveway) Counts.* The Applicant will install and maintain permanent, continuous vehicle counting system to provide a count of vehicles entering and vehicles exiting each Parking Facility. The system will provide the following data for each parking location:

1. *Number of vehicles entering the parking location.*
2. *Number of vehicles exiting the parking location.*

This driveway count data shall be summarized in spreadsheet format in the CMR for each year and will be made available for review to the Town for at least 24 months.

In addition to the annual CMR submissions on Trip Generation (Driveway) Count Data, a spreadsheet summary of the data must be submitted quarterly to the Town Planner and Town Engineer, listing the Project-wide counts for each day during the year-to-date. The listing will include the following:

1. Daily traffic volumes
2. Weekday morning peak hour traffic volumes
3. Weekday evening peak hour traffic volumes
4. Saturday peak hour traffic volumes

(6) *Parking Occupancy Counts.* The parking occupancy count data for each Monitoring Year, calculated using the entering and exiting count data for each Parking Facility, shall be summarized in spreadsheet format and submitted as part of the CMR for such year. The underlying parking count data shall be submitted, together with each CMR, in electronic format to the Town Planner and the Town Engineer. The count data for each parking location will be retained and made available for review by the Town for at least 24 months. A manual count of the number of vehicles parked overnight will be recorded periodically at a frequency reasonably necessary to ensure accuracy of the count data.

In addition to the annual CMR submissions of parking count data, a spreadsheet summary of the data collected pursuant to the Parking Facility monitoring system must be submitted quarterly to the Town Planner and Town Engineer, listing the counts for each day during the year to date. The quarterly parking reports shall include the following information:

1. The highest parking occupancy for each day and
2. Any manual "overnight" parking occupancy counts conducted in the applicable quarter pursuant to this condition.

An example of the format in which this data may be submitted is attached as Exhibit _____. Each quarterly parking report shall clearly identify any missing data, explain why

the data is missing, and confirm that the reason for the missing data were (or will be) corrected as promptly as possible.

(a) Parking Facility REAs

Pursuant to the Rules & Regulations waivers granted in Section VI of this Decision, the Application did not include reciprocal easement agreements governing the shared use of Parking Facilities by owners and tenants of Buildings within in the Project.

The execution and recording of Parking Facility REAs (either unilaterally by the Applicant prior to conveying any Lots or, following any such conveyances, consensually between the resulting Lot owners) is necessary to assure that the shared parking benefits described in the Rules & Regulations waiver with respect to the submittal of the Parking Facility REAs is granted on the condition that, prior to the time that a Building Permit application is filed for any particular Parking Facility, a draft form of Parking Facility REA governing the use and maintenance of such Parking Facility must be provided to the Board for review. The Board's review is to be limited to the REA's shared parking provisions and is to be governed by the standards set forth in this Special Condition 4(b). Proof that the submitted form of REA has been finalized and recorded with the Norfolk County Registry of Deeds shall be submitted to the Planning Board prior to the issuance of the Certificate of Use and Occupancy for the Parking Facility in question. Exhibit ___ to this Decision sets forth a schedule of shared parking requirements applicable to each Parking Facility shown on the Approved Master Plan (the "Shared Parking Schedule"). Each Parking Facility REA shall contain enforceable provisions assuring the ability of the parties thereto to enforce the shared parking requirements for the Parking Facility in question, as established in the Shared Parking Schedule. Each Parking Facility REA also shall contain enforceable provisions protecting any given Parking Facility from being claimed for use by excessive number of Lot owners or tenants, resulting in an "overburdening" or "oversharing" situation that undermines the effectiveness of the shared parking concepts described in the Application. Each Parking Facility REA shall contain a provision prohibiting its amendment without prior notice to the Town Planner, which notice shall disclose the substance of such contemplated amendment. No Parking Facility REA shall be amended to eliminate or materially modify the required provisions described above, without prior notice to and consent of the Board.

The meeting adjourned at 10:20 pm.