

**Town of Westwood
Planning Board
Meeting Minutes
Carby Street Building
February 7, 2006
7:30 PM**

Board Members Present: Steven H. Olanoff, Robert E. Moore, Jr., Robert C. Malster, George A. Nedder

Board Members Absent: Henry W. Gale

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

The meeting was convened at 7:40 pm.

Special Permit Public Hearing: Shared Driveway for Two Lots at 215 High Street

Applicant: Joseph Flanagan

Address: 215 High Street

Project: Shared driveway for two lots at 215 High Street

In Attendance: Joseph Flanagan, Sr.; Joseph Flanagan, Jr.

Diane Beecham stated that this plan has, in some form, been before the Board for several years. In 2002, Mr. Flanagan acquired the small carriage house from the developer who was developing the adjoining property at 206 Grove Street. Since the carriage house and the existing residence at 206 Grove Street were both substantial structures in existence prior to the Town's adoption of the Subdivision Control Law, a lot was able to be created for the carriage house. Because this new lot did not conform to zoning (it has no frontage), Mr. Flanagan, Sr. submitted a definitive subdivision plan to create a 2-lot subdivision road with a new roadway that met the design requirements in the Subdivision Rules and Regulations. It was requested that all construction standards be waived so that the roadway did not actually have to be constructed. Instead, the Flanagans submitted a shared driveway special permit application to use the existing driveway on the property as a shared driveway for the existing residence on the property and the carriage house. The Planning Board conditionally approved the subdivision and closed the public hearing for the shared driveway. Mr. Flanagan then had a bill dispute with his engineer that lasted a couple of years. After about two years of "chasing" extensions for the time from which the Board had to make a decision on the special permit, it was requested that he withdraw the application. He complied with this request. At this point in time, the Flanagans are looking for the final endorsement of the subdivision plan and to start the application process again for the shared driveway special permit.

Ms. Beecham indicated that the Fire Chief opposes the shared driveway plan as it was submitted. As with other shared driveways, he wants the shared driveway to have a minimum width of 18 feet and have a turnaround. The Fire Chief stated

that this is especially important for this property because it has multiple structures on the property, including a very large wood barn. Mr. Flanagan does not want to make any changes to the existing driveway.

Another issue raised is that if the sewer line that is there now needs to be replaced, there needs to be a stipulation that it would be replaced.

John Bertorelli stated that he did find a fire hydrant on the opposite side of High Street and so that issue which was raised in his review letter can be disregarded. There is also the issue of whether the appropriate easements are in place that grants usage of the shared driveway to both lots. Also, it needs to be made clearer on which lot actually owns the subdivision roadway.

On a motion by Mr. Nedder and seconded by Mr. Malster, the Planning Board unanimously voted to continue the public hearing to February 21, 2006 at 7:30 pm.

Definitive Subdivision Plan Public Hearing: Howard Estates

Applicant: Charles and Jane Howard

Address: 265 Dover Road

Project: Two-lot definitive subdivision plan

In Attendance: Charles and Jane Howard; Steve Poole, Project Engineer

Bob Moore read the public hearing notice and opened the public hearing.

Steve Poole, Project Engineer stated that Mr. Howard came before the Planning Board approximately seven years ago with this concept and has now decided to make a formal application. The Howards have lived at this address for 37 years. Their house is actually at the top of a steep hill and is access by a driveway that runs through two properties.

The property is now a single lot on six acres. It is acre zoning in this area and an additional five lots could be developed, but the Howards are only looking for one additional buildable lot. The Howards would like the constructions standards for the new subdivision roadway to be waived down to essentially act as a driveway to service the existing residence and new lot. The grade of the roadway is steep; it is shown at a 17 to 18 percent grade. The Town Engineer's technical review letter indicated a concern about this grade and since then changes have been made to reduce the grade to 14 percent.

Arthur Howe, 259 Dover Road stated that he has the driveway that leads to the Howard's house on his property. When he originally bought his property, he researched the deed and found out that although his land was at one time owned by the Howards, then never recorded an easement for the driveway. They are friends and so came to an agreement that the Howards can use the driveway for five years from the date of the agreement [which has since passed] and after that, if he wanted the Howards to no longer use it, and then he would have to give six months notice. It is the only access to the Howard's property and so he has granted permission to use it.

Sewer and water service would be brought to the two lots through the subdivision roadway. The pavement width would be 18 feet.

Mr. Moore asked if anyone had spoken to the Fire Chief about emergency access. Diane Beecham responded that she has talked to the Fire Chief and he has indicated that emergency vehicles now can not adequately respond to this property and so any change to what is there now is an improvement. She indicated that she will have the Fire Chief attend the next meeting or provide written comments.

Mr. Poole stated that they want to protect the pines next to 259 Dover Road.

John Bertorelli stated that he had spoken with the Fire Chief and he was not too enthusiastic about the slope. Mr. Poole responded that one possible solution was to ensure that the new construction on the additional lot would have a sprinkler system.

Mr. Olanoff suggested that they look at the possibility of swinging the roadway into the vacant parcel on the other side of the roadway that is owned by a member of the Howard family.

John Bertorelli stated that he was very concerned about the proposed leveling area of the subdivision roadway's intersection with Dover Road and would like the width of the roadway to be 18 feet with 5-foot shoulders. He stated that the geometry of the roadway was also of great concern to him. In areas where there is often snow cover, the maximum limit for a driveway grades is around 15 percent. The grade as proposed for this roadway does not meet safety standards.

Mr. Howard indicated that he is willing to restrict the property to no more than a total of two lots.

Arthur Howe, 259 Dover Road, stated that the subdivision roadway as it is now shown on the plans is very close to his house. It is only about 20 feet away and he would like to see if swing to the right when it approaches his house and then could swing back beyond his house.

On a motion by Mr. Nedder and seconded by Mr. Olanoff, the four members of the Planning Board in attendance unanimously voted to continue the public hearing to April 11, 2006 at 7:30 pm.

Deliberations and Vote: Parking Lot Improvements at the Bubbling Brook Restaurant

Applicant: Bubbling Brook Realty LLC

Address: 1652 High Street

Project: Parking lot improvements

On a motion by Mr. Malster and seconded by Mr. Olanoff, on a vote of three in favor with one abstention, the four members of the Planning Board in attendance voted to approve this Application and the following decision:

STATEMENT OF FACTS

Bubbling Brook Realty LLC paved an existing gravel area to create an additional fourteen (14) parking spaces, without the required filing pursuant to Section 7.3 of the Westwood Zoning Bylaw [Environmental Impact and Design Review]. A zoning violation notice was issued by the Building Inspector, prompting the Applicant to file this application for the retroactive approval of the additional parking spaces. There were not other contemplated changes to the rest of the existing parking lot, other than restriping the parking spaces to conform to the Planning Board's parking design standards.

During the initial public hearing, the Planning Board requested that the Applicant explore additional changes to the existing parking lot, primarily to improve internal traffic circulation and protect the safety of the patrons of the walk-up windows. The site plan was subsequently changed as follows:

- The parking lot entrance on High Street has been narrowed from 80 feet to 20 feet, and restricted to incoming vehicles only traveling east on High Street. The location of this 20-foot drive has been pushed to the furthest edge of the existing opening to provide the maximum possible sight distance, and has been angled to discourage westbound traffic from making a left turn across traffic. To create this new narrower opening, vertical granite curbing will be installed on the High Street side to match the existing edging, a bituminous berm will be installed on the inside and the area will be filled with loam, seed and shrubs.
- The parking lot entrance on North Street will also be narrowed from about 80 feet to 24 feet, and will allow both entering and exiting traffic. Vertical granite curbing will be installed on the North Street side of the elongated island, and a bituminous berm will be installed on the inside. The bituminous pavement will be removed between the two, and the area loamed, seeded and planted with shrubs.
- The four spaces at High Street entrance will be straightened to be perpendicular to the right of way, delineated with bituminous berm and labeled as employee parking only. The excess pavement will be removed and the area loamed and seeded.
- The three spaces along the building in front of the walk-up windows and the single protruding space on the north side of the building will be eliminated, and the area striped with paint. Substantial barrels/containers with plantings will be placed in this area to provide a barrier between patrons and vehicles.
- In the interior of the existing parking lot, the two spaces at either end of the middle parking row will be eliminated and the ends striped to provide for a wider aisle. To compensate for the eliminated parking spaces, additional spaces will be striped along the new curbing along North Street, and from the

extension of the parking line along the front of the building.

- The Stormceptor treatment unit will be relocated from the westerly side to the easterly side of North Street, to better reflect the drainage run-off patterns from High Street, North Street and the Bubbling Brook restaurant parking lot.

DECISION OF THE WESTWOOD PLANNING BOARD

The Planning Board, by a vote of three in favor and one abstention, hereby submits its Impact Decision ***approval*** pursuant to Section 7.3 of the Westwood Zoning Bylaw for the Project as described in the application therefor dated August 1, 2005 and the following related submissions (together hereinafter referred to as the "Project Plans") filed with the Planning Board by or on behalf of Bubbling Brook Realty LLC:

1. Plan entitled "Site Development Plan Bubbling Brook Restaurant 1652 High Street Westwood, Mass.", prepared by Norwood Engineering Co., Inc., 1410 Route One, Norwood, MA 02062, dated August 2, 2005 and revised through January 23, 2006, consisting of one (1) sheet;
2. Correspondence to the Planning Board, dated January 23, 2006, prepared by Donald Myers, Senior Project Manager, Norwood Engineering Co., Inc., 1410 Route One, Norwood, MA 02062, consisting of two (2) pages;
3. Technical review correspondence to the Planning Board, dated January 12, 2006, prepared by John Bertorelli, Town Engineer, consisting of two (2) pages;
4. Electronic mail correspondence to John Bertorelli, dated February 2, 2006, prepared by Paul Sicard, Safety Officer, Westwood Police Department, consisting of one (1) page;
5. All of the foregoing plans and reports are hereby incorporated by reference and made part of this Decision.

CONDITIONS

The foregoing approval is issued to the Applicant in accordance with the terms and conditions set forth below, all of which are an integral part hereof:

1. Except as modified by the conditions and findings hereof, the Project shall comply with the Project Plans in all respects, and the Applicant shall pursue completion of the Project with reasonable diligence and continuity.
2. The Applicant shall provide the drainage calculations to substantiate the size of the Stormceptor treatment unit to the Town Engineer for his review and approval.

3. There shall be a minimum of two signs installed on High Street and/or North Street indicating the new ingress/egress patterns for the parking lot. The type of signage and its wording, as well as its location and method of installation shall be review and approved by the Department of Public Works. This signage shall be shown on the Project Plans and a notation shall be placed on the Plans indicating that the Applicant is responsible for the maintenance of the signage.
4. The barrels/containers that will be placed in the immediate area of the walk-up windows must be substantial enough to provide for an effective safety barrier between patrons and vehicles. They should be of a large size and have a weight of at least three hundred (300) pounds.
5. The existing exterior lighting fixtures shall be shown on the Project Plans. There shall be no additional exterior lighting installed on the property unless an Environmental Impact and Design Review application pursuant to Section 7.3 is submitted and approved by the Planning Board.

Request for Minor Change to Clair Audi/Porsche Dealership Site Plan

Applicant: Clair Motors

Address: 420 Providence Highway

Project: Change to patio in front of the showroom entry

On a motion by Mr. Nedder and seconded by Mr. Malster, the four members in attendance voted to accept the requested change to the site plan that would allow for approximately an additional 500 feet to the display area in the front of the dealership consistent with the plan entitled "SK Drawing SK-C-2-3 (patio in front of Porsche showroom entry)" dated January 31, 2006.

The meeting was adjourned at 10:15 pm.