

**Town of Westwood Planning Board  
Meeting Minutes  
Carby Street Building  
March 28, 2006  
6:30 PM**

**Board Members Present:** Steven Olanoff, Bob Moore, Rob Malster

**Board Members Absent:** George Nedder, Henry Gale

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

The meeting was convened at 6:40 pm.

**Discussion with Consultants Regarding MUOD Rules and Regulations**

**In Attendance: Ralph Willmer, VHB; Dan Bailey, Rackemann, Sawyer & Brewster**

Mr. Moore stated that the Board needs to be as prepared as much as possible before the MUOD application from Cabot, Cabot & Forbes is filed, which he understands to be as early as June 1<sup>st</sup>. This size and complexity of this project is different than anything that the Board, and the Town, has ever dealt with before. The technical expertise needs to be in place and operational for the Planning Board to do process this application. A comprehensive process needs to be set up to work through all the different aspects of this project; operational meetings involving all the different players need be set up now to begin to determine how to work through the process.

Mr. Bailey stated that he agrees that a process needs to be set up; the Planning Board should be in the position to be able to just make decisions about all the information that will be presented as part of the hearing process.

Mr. Malster questioned who had been making the decisions regarding this project up to this point? Who has been calling all the shots? He stated that so far the process has not been working. Since the beginning of the process there does not seem to be anyone listening to the Planning Board; the Board has been isolated from the process up to this point.

With respect to the development of the MUOD Rules and Regulations, Mr. Bailey stated that he saw the phasing and staging of the project is an important legal issue. For the technical analysis aspect of the Rules and Regulations, the Board will look to VHB. Mr. Bailey stated that for some sections of the Rules and Regulations, the requirements will be very specific, such as identifying specific intersections to be studied as part of the traffic analysis.

Mr. Olanoff stated that he was concerned about the level of detail of the Rules and Regulations; he does not want it so detailed that the Planning Board will be boxed in with respect to its decision.

Mr. Moore stated that the accountability and project management in this process is

extremely important.

Mr. Malster questioned what Cabot, Cabot and Forbes' role was in this process of developing the Rules and Regulations? Mr. Bailey responded that they do not have a copy of the draft, but he expects that input will be provided at some point.

Mr. Olanoff stated that he sees the following as the main issues in developing the Rules and Regulations:

- Phasing of the project
- Issue of what needs to be included as in the special permit application and the subsequent site plan review applications
- Issue of how the subdivision control process fits into the special permit process.

Mr. Moore stated that his main concern is project management: how will the project be coordinated? Who will develop and manage a timeline of tasks?

[There was a discussion of the Issue of whether the Planning Board can have appointed associate members, similar to the Board of Appeals. There were questions of whether the appointed members could participate in all the public hearings with the full Board and only vote at the end of the hearing process in case a full member was prohibited, because of either missing a public hearing or moving away from Town. Dan Bailey indicated that he would research the issue.]

[There was a discussion of the staging/phasing of the special permit. Cabot, Cabot & Forbes indicated that they want to construct all the off-site mitigation upfront and therefore want the special permit to apply for the entirety of the project on a conceptual level. The more specific details of the project, done by phase, would be provided as part of the subsequent site plan reviews. The board has expressed concern about this because of the differing nature of the permits (i.e. the special permit is discretionary and site plan review is not. Mr. Bailey indicated that he envisions a process by which there would be one Area Master Plan special permit for the entire area that would be at a more conceptual level. The details/phasing of the project would be reviewed in a series of subsequent Stage special permits. The Stage special permits would be reviewed in the context of how well that particular stage "fits" into the Area master Plan and also how well the mitigation is working in the previous Stage special permit. For instance, if the Board is reviewing Stage 2 special permit, it would be reviewed in the context of how well the specifics of that stage fits into the conceptual Master Plan. If it does not, the developer has to go back to the drawing board or amend the Master Area special permit to conform to that Stage 2 special permit. Also as part of the Stage 2 special permit review, the Board would also review how the mitigation in Stage 1 is working and if it is not functioning properly, it would have to be fixed prior to the approval or start of construction of Stage 2. ]

Mr. Bailey indicated that this process may be considered groundbreaking in the context of M.G.L. Chapter 40A and thus may require special legislation. What would happen if the master plan was not completed? Mr. Bailey responded that the other phases would not be constructed and that was why the different

phases were needed to stand alone.

Mr. Olanoff asked what CC&F are going to do with the areas within the master plan that are not ready for construction? Some of these areas may not be redeveloped for years. Are they going to tear down buildings, maintain the sites, rent out the buildings? This needs to be determined as part of the Stage 1 special permit because the Town does not want a ghost town of buildings.

There is also an issue of surface parking vs. structured parking. While the Town may not be as concerned with the temporary surface parking in the short-term, there is also of concern if the "temporary" ends up lasting indefinitely.

There is also an issue of how the work of the Steering Committee's various subcommittees are communicated to the Planning Board and also if the Steering Committee has developed its next steps for its work. Where does it go from here?

Mr. Malster questioned who was paying for this process? He stated that the Planning Board would need consultants prior to the application process.

Ms. Beecham stated that the Planning Board wanted to make sure that there was an adequate budget for this Rules and Regulations process. It is more important than contract timing. There was concern regarding the amount of money that was left for the process and she would work with the Town to make sure that there was adequate money set aside for this process.

**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 119-unit Senior Residential Development project**  
**In Attendance: Brain Herlihy, Project Manager, Tremont**

On a motion made by Mr. Olanoff and seconded by Mr. Malster, the three members of the Board in attendance voted unanimously to approve the Applicant's request to withdraw this application without prejudice.

[The application was withdrawn because since Mr. Gale had started a new job in another state and was commuting back on weekends, he could not continue to sit on the Board to hear this application. They left only three members that could hear this application, and there is a minimum of four votes required to issue a special permit.]

**DPW Recommendation Regarding Town Meeting Petition to Accept Shoestring Road as a Public Way**

John Bertorelli, Town Engineer, stated that three lots on this roadway have not been built and that one was under construction. The unbuilt lots will require a significant amount of blasting because of there is a lot of ledge. Because it has been the policy of the Town not to accept roadways that still have a number of lots to be constructed, the DPW does not recommend that this roadway be accepted at this Town Meeting.

Mr. Olanoff stated that he had met with Paul Tryder, the developer of the Powissett Estates subdivision, regarding the subdivision's street trees. Even though the trees were too small in diameter, they did come to an agreement that there were a sufficient number of them. He stated that the street looked okay although the curbing was getting beat up.

Mr. Moore stated that it has been the Board's practice to accept the DPW's recommendation regarding street acceptances.

Mr. Olanoff stated that it was standing policy to not accept roads that have unconstructed lots. He also stated that the connecting right of way was not done correctly.

[The Board decided to review this issue again at its next meeting on April 11<sup>th</sup>.]

The meeting was adjourned at 8:50 pm.