

**Town of Westwood Planning Board
Meeting Minutes
Carby Street Building
June 13, 2006
7:30 PM**

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

Board Members Absent:

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

The meeting was convened at 7:30 pm.

Review of Decision: 480 Summer Street Shared Driveway Special Permit

Applicant: Michael & Yvette Mouhanna c/o Fourzol, LLC

Address: 480 Summer Street

Project: Shared Driveway to service a total of three lots

[This application was approved by the Planning Board at its meeting on April 11, 2006. At this meeting, the Planning Board reviewed the draft decision and signed it.]

Site Plan Review Public Hearing: Installation of Modular Classrooms at Hanlon School

Applicant: Westwood School Department

Address: 790 Gay Street

Project: Installation of modular classrooms

In Attendance: Ed Kazajian, Assistant School Superintendent; John Antonucci, School Superintendent

Mr. Malster read the legal notice and opened the public hearing.

Mr. Kazajian stated that they were looking to add three modular classrooms to the Hanlon School as an interim measure and that this would be the only change to the site. The modular classrooms are essentially "tacked" onto the back of the existing school. The only additional lighting will be on the outside doorway of the modular classrooms. The classrooms will be hooked up to the existing sewer and the utilities will be either installed underground or pole will be installed. The modular classrooms will be the site for the extended day care program and that the access to the program will be through the interior doors. The only reason for the exterior door is for access to the outdoor playground.

Mr. Malster asked if grading work will be needed. Mr. Kazajian responded that the contractor said that there might have been some blasting when the original school was constructed because they have noticed that the rock coming out of the site is fractured.

Mr. Kazajian stated that the drainage would be via gutters and that it will flow

toward the playground. Directional drilling will be used to install the sewer pipes.

On a motion by Mr. Olanoff and seconded by Mr. Nedder, the Planning Board unanimously voted to close the public hearing.

On a motion by Mr. Olanoff and seconded by Mr. Nedder, the Planning Board voted unanimously to approve the environmental impact and design review application members with a condition that the Fire Chief review and approve the fire protection access to the site.

Working Session on MUOD Rules and Regulations

In Attendance: Dan Bailey, Esq., Rackemann, Sawyer & Brewster [Board of Selectmen Special Counsel]; Steve Rafsky, Economic Development Advisory Board; Susan Sloan-Rossitor and Bill Crenshaw, VHB

Mr. Bailey stated that the Planning Board asked him to research if the Board had the ability to delay or stop site plan approval if the standards/conditions set up in the special permit were not met. Originally the Board was considering requiring multiple special permits for the various phases but the developer did not want this because he wants to do all the mitigation up front. The developer previously has indicated that if he received a special permit for half of the project, then he could only finance half of the upfront mitigation. He can not get the financing to do all the mitigation at one time if there are multiple special permits with multiple chances of appeal.

Mr. Bailey indicated that the Planning Board has clear discretion in their decision on whether to issue a special permit. However, unlike a special permit, site plan is not a creation of 40A and thus does not have the same discretionary standards as special permits. Instead, site plan review is a creation within the local zoning bylaw for review.

Mr. Bailey indicated that after again reviewing the MUOD Bylaw, he was very encouraged regarding the integration of site plan review and the area master plan. The Bylaw clearly requires that the area master plan be consistent with each site plan review application. If the site plan application is not consistent with the area master plan, then either the deleterious effects must be mitigated or the special permit must be amended. Also, the site plan review process is enforced by being dovetailed with the development agreement, which has much more enforcement authority than zoning. The development agreement will give the Town the direct right of enforcement. In fact, it will allow for enforcement even if there is not an site plan review application pending before the Planning Board.

Mr. Rafsky stated that the request for a single special permit reflects the desire of the business community and the residents who want the infrastructure constructed all at once. The Town entered into a discussion with the developer last year about doing the project all at one time and the developer indicated that their funding source was adamant that if the project was developed through a series of special permits, then the infrastructure would also have to be phased. Mr. Rafsky stated

that, from his perspective, he did not care if single or multiple special permits are required; he is just responding to community concerns.

Mr. Nedder stated that he is very adamant that he wants this project developed through a series of phased special permits.

Mr. Moore stated that he is not convinced that the controls are in place to adequately control this development and its impacts with just site plan review after the issuance of a single special permit.

[Bill Crenshaw and Susan Sloan-Rossiter reviewed the changes to the traffic impact guidelines, dated June 8, 2006 that were made as a result of a previous meeting. The changes are as follows:

Traffic Impact Guidelines

- Requires evaluation of automobile traffic, truck, transit (rail), pedestrian and bicycle operations and infrastructure.
- Sets minimum required data collection and study parameters. Additional data/analyses at direction of Town Engineer or Planning Board.
- Extensive data collection and analysis of Existing Conditions.
- Future conditions with the and without the project.
- Future conditions with the project, with and without mitigation.
- Interim future conditions, if applicable.
- Defines intersection locations with potential significant impacts, for review by Planning Board.
- Study will provide information for Planning Board determination of truck, transit, pedestrian and bicycle impacts and adequacy

TDM Guidelines

- Sets programs and incentives to achieve the trip reductions claimed by the developer.
- Pedestrian, bicycle, transit, parking commitments part of a written agreement. TDM Program required of tenants and future owners.
- Defines monitoring and reporting program: surveys, traffic counts, parking counts
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Shared Parking

- Requires calculation of shared parking, whether or not it is being proposed.
- Provides range of shared parking estimates.
- Identifies whether traffic and parking assumptions are consistent.
- Planning Board evaluates whether proximity/connectivity is adequate to share parking.

The following additional changes to the traffic-related rules and regulations were also made and/or considered:

- Full building completion + 5 years (no opening year)
- Roadway network: location of driveways and curb cuts within 1000 feet of the development
- Opening year + 5 years with development mitigated. Full building conditions mitigated (the 3-year period may need to be changed.)
- Unsignalized intersections - what time period?
- Issue of intersection performance standards for newly created intersections.

The meeting was adjourned at 10:00 pm.