

**Town of Westwood Planning Board  
Meeting Minutes  
50 Carby Street  
December 12, 2006  
7:30 PM**

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

**Board Members Absent:** none

**Staff Members Present:** Diane Beecham, Town Planner; John Bertorelli, Town Engineer; Peter Alpert, Special Counsel to the Planning Board on Westwood Station

The meeting was convened at 7:30 pm.

**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

[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, December 12, 2006, 7:40 p.m. at Westwood Town Hall, 50 Carby Street, Westwood, Massachusetts 02090, Robert C. Malster, Chairman; Steven H. Olanoff, Vice Chairman; Robert E. Moore, Jr., Secretary; George A. Nedder, 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.]

**Endorsement of Performance Guarantee and Definitive Plan**

**Applicant:** PJMJ LLC

**Address:** Off of Margery Lane

**Project:** Revision of a previously approved 6-lot subdivision on 18 acres

[The Planning Board endorsed a Tri-Partite Agreement with PJMJ LLC, 25 Chestnut Street, Wakefield, MA 01880 (Applicant); and Norwood Bank, 11 Central Street, Norwood, MA 02062 (Lender) in the amount of \$398,748.00]

[The Planning Board endorsed the approved Definitive Subdivision Plan entitled "Philip Estates Definitive Subdivision Plan Modification", dated September 8, 2004 and revised through November 14, 2006; prepared by Merrikin Engineering Co., 2 Milliston Road, Suite 1C, Millis, MA 02054, consisting of thirteen (13) sheets.]

## **Public Hearing: Rules and Regulations of the Westwood Planning Board as Special Permit Granting Authority Pursuant to Section 9.6 of the Westwood Zoning Bylaw, Mixed Use Overlay District (MUOD)**

Mr. Malster read the legal notice and opened the public hearing. He stated that the purpose of the meeting was to first provide the framework for the process for the development of these rules and regulations; invite Board and public comments and then close the hearing and then take a final vote. He indicated that the Board has worked on these rules and regulations for over 18 months and it has been reviewed by many people.

Mr. Malster wanted to thank Phil Herr, Diane Beecham, Dan Bailey and Steve Olanoff for their assistance in developing the rules and to Peter Alpert, who has helped the Board get through process issues with respect to special permit/site plan processes.

Mr. Alpert stated that substantive focus of his review has been on Section 1.3 of the rules and regulations which deals with the relationship between the Area Master Plan special permit and subsequent EDIRs. The process that was ultimately approved by the Board states that in order for the developer to make an application for EDIR, there will first have to be peer-reviewed monitoring report completed to ensure that the project is in full compliance with the special permit. If the project is not in compliance, then the developer can not make application for EDIR until it is in compliance. This process is consistent with zoning and from the developer's perspective, it is reasonable and has certainty.

Mr. Malster stated the key is that as long as the project is in compliance with the Area Master Plan—which is documented through the Compliance Monitoring Report—the process can continue through to the EDIR stage.

Mr. Eddie Germano, 106 Whitewood Road, stated that he did not want this project to have high rise buildings. This project is too dense and he does not want the last eight liquor licenses to end up at Westwood Station. Traffic will be nightmare. If the density is reduced by 30 to 40 percent, the headaches will be reduced. He further stated that residential development should be reduced by 50 percent.

Mr. Germano stated that with respect to Blue Hill Drive and Canton Street, having these two roads dead-ended was something that was brought up publicly about 1½ years ago and was booted down. Now all of a sudden it is viable alternative. What else will suddenly turn viable to make this project go forward?

Mr. Nedder asked that if the first phase is approximately ten buildings, and the traffic is already out of whack, is the stop measure with respect to EIDR the best thing that we can accomplish legally? Has the Board pushed the legal boundary; this is something that we should do. Mr. Alpert stated that the last arbitrator of whether there is a determination of a clean monitoring report is the Planning Board. The determination of the specifics of what will be required to be measured in the Compliance Monitoring Report will be included as a condition of the special permit.

Mr. Alpert stated that the Compliance Monitoring Report cannot defer the discretionary aspect of the special permit to the EDIR phase. There is not anything in the requirements of these rules and regulations that diminishes the discretionary power of the Planning Board; although once the special permit is issued, the discretion phase ends.

On a motion by Bob Moore and seconded by Bruce Montgomery, the Planning Board voted unanimously to close the public hearing.

On a motion by Bob Moore and seconded by Bruce Montgomery, the Planning Board unanimously voted to approve the rules and regulations entitled "Planning Board Town of Westwood, Massachusetts, Rules and Regulations of the Westwood Planning Board as Special Permit Granting Authority (SPGA) Pursuant to Section 9.6 of the Westwood Zoning Bylaw Mixed Use Overlay District (MUOD).