

**Westwood Planning Board Meeting
Monday, July 15, 2019
7:00 pm
Champagne Meeting Room
50 Carby Street, Westwood, MA 0290**

Call to Order:

The meeting was called to order by Chair Gorman at approximately 7:00 pm. Chair Gorman announced that the meeting is video recorded by Westwood Media Center and explained the meeting procedures.

Present:

Planning Board members present: Brian D. Gorman, Deborah J. Conant, Christopher A. Pfaff, and William F. Delay. Member David L. Atkins, Jr. participated by telephone in full accordance with the Town's Remote Participation Policy. Staff members present: Abigail McCabe, Town Planner and Jessica Cole who recorded the meeting minutes. Absent: Christopher A. Pfaff

The Planning Board was held on July 15, 2019, concurrently with a meeting of the Westwood Conservation Commission.

Continued Public Hearing on Application for Special Permit for Partners Health Care – 90 Brigham Way – continued from June 25th

The Board reviewed updates since the last meeting that included a recent site visit to inspect the site including how deliveries access the property and the interior of the building to view handling the material. Members discussed the specifications of the drain cover proposed for use with the Applicant. The Board asked for a secondary drain cover to be used and added a condition in addition to the nine draft conditions prepared by staff in the Town Planner's July 12, 2019 memo.

A motion was made by Ms. Conant, as follows:

I find that the proposal complies with Section 9.7 of the Zoning Bylaw and will not pose any adverse impact by appropriately addressing potential spills and contamination prior to reaching the public water supply and as further conditioned by this approval. Therefore, I Move to approve the special permit as requested by Partners Urgent Care with the following conditions:

1. The Applicant shall register all hazardous materials with the Westwood Board of Health, pursuant to applicable requirements of the Westwood Board of Health Hazardous Materials Bylaw, and shall re-register such materials every two years or as otherwise required by the Board of Health.
2. Prior written approval shall be required for any future changes in the composition or quantity of hazardous materials allowed pursuant to this special permit, or for changes to the method of use, transport or storage of such materials, or for the introduction of additional hazardous materials which are regulated pursuant to Section 9.7.5. Said approval shall require the modification or amendment of this special permit, unless a written determination is issued by the Building Commissioner and Health Director stating that the proposed changes are de minimus in nature.
3. The Applicant shall contact the Health Director and Fire Chief or Deputy Fire Chief for an initial inspection of the facility and for subsequent inspections as required pursuant to local regulations.
4. The Applicant is responsible for filing and obtaining any and all other local, state, and federal approvals.
5. Each delivery of material shall be inspected by trained personnel before receiving and accepting any material.
6. Staff and delivery personnel shall be trained to handle and inspect all deliveries of hazardous materials.
7. Emergency and Spill response materials shall be kept in the loading/delivery area at all times.
8. Drain covers for all storm drains in the proximate area including the Applicant's property and the delivery truck's route shall be deployed in advance of all deliveries of hazardous materials, and said drain covers shall be inspected at least annually and replaced as needed in accordance with the manufacturer's specifications.

9. Secondary drain covers by New PIG DrainBlocker Drain Cover, or an approved equivalent, shall be purchased and stored onsite for use in the event of a hazardous material spill. Training Plan and Spill Response Plan shall be updated to reference use of the secondary drain cover. *[added July 15]*
10. The Applicant shall keep and maintain an up to date Material Safety and Data Sheets for every chemical used on the premises. The logs shall be provided in a binder in an accessible location.

The motion was seconded by Mr. Delay.

Chairman Gorman called for a Roll Call Vote in accordance with requirements of the town's Remote Participation Policy.

Record of Vote by Roll Call:

David L. Atkins voted in favor.
Deborah J. Conant voted in favor.
Christopher A. Pfaff voted in favor.
William F. Delay voted in favor.
Brian D. Gorman voted in favor.

The motion passed unanimously.

A motion was made by Mr. Pfaff to close the public hearing.

The motion was seconded by Mr. Delay.

Chairman Gorman called for a Roll Call Vote in accordance with requirements of the town's Remote Participation Policy.

Record of Vote by Roll Call:

David L. Atkins, Jr. voted in favor.
Deborah J. Conant voted in favor.
Christopher A. Pfaff voted in favor.
William F. Delay voted in favor.
Brian D. Gorman voted in favor.

The motion passed unanimously.

Concurrent Public Meeting with Conservation Commission to Consider Application for Minor Modifications to Special Permit for Reynolds Farm Senior Residential Development – 11-63 Reynolds Farm Way (formerly 1561 High Street)

Applicant Presentation:

The Board discussed with the Applicant and staff to summarize the application. John Glossa, project engineer, was present to represent the Applicant, Mr. Musto, and to answer questions. Board members recently met for a site inspection to review the property. Mr. Glossa, explained that the purpose of this Modification is to modify the plans approved by both the Planning Board and Conservation Commission. These changes have been reviewed by staff including Phil Paradis of BETA Group; the changes are to complete unfinished work such as the landscaping and new stormwater and site improvements that will result in a better functioning project after a full site review and evaluation of soils and the current conditions. Infiltration, catch basins, has been added and grading changes to alleviate surface water. New retaining wall behind unit 43, re-grading to a 2 to 1 slope behind units (later revisited that it will be a 3 to 1 slope), new trees behind the High Street neighbors along the basin to be added to assist with screening such as spruces and underground irrigation.

Ms. Loughnane noted that there are privacy fences added that extend back to the retaining wall which was different than the approved plans. There was supposed to be a common area behind the units and these fences going all the way back impedes access to the common area, staff was concerns of this but the fences have been installed. Ms. Loughnane explained that Phil Paradis has reviewed the revised plans and recommends approval of these changes.

Mr. Musto responded that the owner of the unit requested the fence be extended to help provide area for the owner's dog and he suggested adding a gate to allow access. The owner of the unit was present and responded that she no longer has the dog and was okay with removing the fence.

Board and Commission Questions, Discussion and Comments:

Ms. Loughnane added that staff and BETA have worked over the last year to review the appropriate changes to improve this project.

Cleveland Pear's changed to Sugar Maples, will check sight lines prior to tree plantings. Public Works made drainage improvements in the right of way for approximately \$20 that will be addressed later but took on the work to fix the flooding in the road.

Mr. Glossa explained the peer reviewer during the original review had recommended the baby pool and final drainage, he agrees that the new proposal is better because the original location was not suitable for infiltration.

Planning Board members recommended the fence between the units (unit 11, address #61) be pulled back to allow the common area access as intended on the plans originally approved. Applicant agreed to adjust the fence to match the other units.

Planning Board asked about the head wall cap was not complete at the recent site inspection along the Reynold's Farm Way drive. Mr. Glossa recommends a second wall be added and the wall there now will be adjusted to not be visible, loamed in seeded in front of it.

Chair Gorman asked for public comments.

Public Comments:

Resident of Unit 13, concerned about water coming into the unit attached to hers, unit 11, remaining unit.

Mr. Glossa responded that unit has an underdrain that will be tied into the underground infiltration but has not been tied in and connected yet.

Mr. Mike Terry, Special Legal Counsel for Westwood, responded that this unit will be inspected by the Town.

Resident of 31 Reynold's Farm Way, asked questions about the re-grading behind the units going towards which unit.

Resident of 41 Reynold's Farm Way, asked question about catch basins between the units being connected. Mr. Glossa responded that new drains will be installed and connected to underground infiltration and re-grading to direct water into the trenches and drains. Asked about the retaining wall, Mr. Glossa responded it will be a modular block wall.

Resident asked if she can request changes. Ms. Loughnane responded that any changes need prior approval by the Conservation Commission and Planning Board.

Mr. Musto requested the rip rap not be required, staff and the board concluded the rip rap was important to stabilize the slope.

Attorney Terry explained there is an Agreement signed off on Mr. Musto and the Reynold's Farm homeowners to get the work done within a set time and deadline work to be done is shown on these modified plans. There is an escrow account set aside to fund the work to be completed by another party, inspected by Phil Paradis of BETA. All work must be completed within 90 days of the end of the appeal period (November) from this modified approval.

The Conservation Commission discussed extending the Order of Conditions until the end of 2019 approximately 110 days after the appeal period, will check on the survival of the trees.

Resident asked that construction debris be removed as soon as possible. Attorney Terry responded that the Agreement obligates work to be completed including the debris related to construction removed.

Chair Rogers motioned that the Conservation Commission determine the changes are a minor modification. All four members voted in favor of the minor modification.

Chair Rogers motion to extend the Order of Conditions six months to December 18, 2019, Ms. Gordon seconded the motion, all four commissioners voted to approve the extension to December 18, 2019.

Chair Rogers motion to modify the modified plans further to adjust the privacy fence to adjust and add gate, and add a note that all construction debris shall be removed from the project site.

A motion was made by Ms. Conant, as follows:

To determine that the proposed plan changes are minor modifications not requiring a formal amendment because the proposed changes do not substantially change the project as originally conceived for a 12-unit Senior Residential Development, but are intended to improve the operation and development of the homes and property.

The motion was seconded by Mr. Pfaff.

Chairman Gorman called for a Roll Call Vote in accordance with requirements of the town's Remote Participation Policy.

Record of Vote by Roll Call:

David L. Atkins, Jr. voted in favor.
Brian D. Gorman voted in favor.
Deborah J. Conant voted in favor.
Christopher A. Pfaff voted in favor.
William F. Delay voted in favor.

The motion passed unanimously.

A second motion was made by Ms. Conant, as follows:

To approve the Modified Glossa Plans as shown in the plan set titled "Reynold's Farm, A Senior Residential Development, Westwood, MA", containing thirteen (13) sheets prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA, dated May 19, 2011 with revisions through July 8, 2019 with the following conditions:

1. The Modified Glossa Plan shall be revised to remove existing fencing behind Unit #13 and to add a new white vinyl privacy screen between Units #11 and #13 to match the white vinyl privacy screens that have been installed between other pairs of units.
2. The Modified Glossa Plan shall be revised to include a notation that all construction equipment, construction materials and debris shall be removed from the property immediately upon the completion of work.

Motion was seconded by Mr. Delay.

Chairman Gorman again called for a Roll Call Vote.

Record of Vote by Roll Call:

David L. Atkins voted in favor.
Brian D. Gorman, Jr. voted in favor.
Deborah J. Conant voted in favor.
Christopher A. Pfaff voted in favor.
William F. Delay voted in favor.

The motion passed unanimously.

A motion was made by Ms. Conant to close the discussion.

The motion was seconded by Mr. Atkins.

Chairman Gorman called for a Roll Call Vote in accordance with requirements of the town's Remote Participation Policy.

Record of Vote by Roll Call:

David L. Atkins voted in favor.
Deborah J. Conant voted in favor.
Christopher A. Pfaff voted in favor.
William F. Delay voted in favor.
Brian D. Gorman, Jr. voted in favor.

The motion passed unanimously.

List of Documents:

Town Planner Memo to Planning Board re: Meeting Summary for Monday, July 15, 2019, dated July 12, 2019.

90 Brigham Way

- a. Public Hearing Notice Brigham Way
- b. Application Summary
- c. Request for Special Permit
- d. Spill Response and Chemical Path Plan
- e. DWWD Memo Review Comments 90 Brigham Way Urgent Care 061919
- f. Staff Review Comments for 90 Brigham Way -SP
- g. FINAL-APPROVED-PDR-Plans-Brigham-Womens-2017-05-23
- h. Draft Decision - Special Permit Draft Approval for PB
- i. Email from Brigham and Women - Update on Materials at BWH
- j. Brigham & Women's Material Storage Photos for WW Board 06.27.19
- k. Spill Response Containment Plan - REVISED 7.11.19
- l. Drain Cover Spec

III.Public Meeting:

1. Reynold's Farm -Senior Residential Development -Modification
 - a. Public Meeting Notice
 - b. Application Summary Form
 - c. Modification Request Letter -Reynolds Farm 2019-06-20
 - d. Modification Request Plans-Reynolds Farm
 - e. Approved Plans Reynolds Farm SRD Plan 06-06-2014
 - f. Settlement Agreement final
 - g. Ex A to Settlement - Statement May 2019
 - h. Ex B to Settlement - Cost to complete
 - i. Modified Plans Revised Reynold Farm 2019-07-08
 - j. BETA Review Memo Reynolds Farm Modified Plan Review 7-9-2019
 - k. Reynold's Farm Photos
 - l. Zoning Bylaw Senior Residential Development Section
 - m. 2018 Submission from 1581 High St Abutter Hoban
 - n. Reynolds Farm Condo Association Report from Residents
 - o. Reynold's Farm Master Deed
 - p. Reynold's Farm Condo Unit Deed
 - q. Reynolds Farm SRD Decision 2012-01-24
 - r. Reynolds Farm SRD Modification 1 decision 2012-06-19
 - s. Reynolds Farm SRD Modification 2 decision 2012-08-28
 - t. Reynolds Farm SRD Modification Decision 2014-02-25
 - u. Violation Notice SP Reynolds Farm November 2017