

**TOWN OF WESTWOOD**  
COMMONWEALTH of MASSACHUSETTS

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**PLANNING BOARD**

**APPROVAL**  
**ENVIRONMENTAL IMPACT AND DESIGN REVIEW (EIDR)**  
**Earth Material Movement (EMM) Approval**  
**10 Longwood Drive- Fox Hill Village**  
**September 3, 2019**

**APPLICANT &  
PROPERTY  
OWNER:**

Tony Amico  
Fox Hill Village Homeowners Corporation  
10 Longwood Drive  
Westwood, MA 02090

**PROPERTY LOCUS:**

10 Longwood Drive  
Westwood, MA 02090  
Assessor's Map 06, Lot 018

**BACKGROUND AND PROJECT SUMMARY**

The Applicant proposes to demolish an existing two-story building wing formerly occupied by the Clark House Nursing Facility to construct a new three-story building addition for 24 assisted living residences with associated walkways, parking, utilities, landscaping and associated site work at 10 Longwood Drive, Westwood, MA 02090 also known as Assessor's Map 06, Lot 018. The project also involves the removal of 23 existing trees and 51 new trees will be integrated around the building and parking area. The total number of parking spaces will remain the same but an additional accessible will be included.

The property is located in the Administrative-Research-Office (ARO) zoning district. The proposed three-story addition is subject to an Environmental Impact and Design Review (EIDR), pursuant to Sections 7.3 and Section 7.1 of the Westwood Zoning Bylaw for an Earth Material Movement EIDR approval. The use requires a special permit from the Zoning Board of Appeals for the residential retirement community Section 8.4 of the Zoning Bylaw.

**STATEMENT OF FINDINGS**

**PROCEDURAL FINDINGS:**

After having reviewed all the plans and reports filed by the Applicant and its representatives and having considered the technical analysis, supplemental information provided during the course of the public hearing, correspondence and testimony from representatives from various boards and commissions and departments within the Town of Westwood and from all other interested parties, the Town of Westwood Planning Board makes the following procedural findings and project findings:

1. On July 16, 2019, an application was filed by or on behalf of Fox Hill Village Homeowners Corporation, pursuant to Section 7.1 and 7.3 [Environmental Impact and Design Review] of

the Westwood Zoning Bylaw with the Westwood Planning Board and the Westwood Town Clerk (hereinafter "Application").

2. Pursuant to M.G.L. Chapter 40A, Section 9 and 11 and the applicable provisions of the Westwood Zoning Bylaw and the Rules and Regulations of the Westwood Planning Board (hereinafter "Rules and Regulations"), the Planning Board caused notice of the public hearing to be published in the *Transcript and Bulletin*, a newspaper of general circulation in Westwood, on July 25, 2019 and August 1, 2019. Notice of the public hearing was posted in the Westwood Town Hall commencing on July 12, 2019, and continuing through the opening of the public hearing on August 13, 2019. Said notice of the public hearing was mailed postage prepaid to all Parties in Interest as defined in M.G.L. Chapter 40A, Section 11 on July 15, 2019.
3. The Planning Board provided copies of the Application to other Town of Westwood boards and commissions, departments and officials including, but not limited to, the Board of Health, Board of Selectmen, Building Commissioner, Conservation Commission, Department of Public Works, Fire Chief, Police Chief, Town Engineer, Historical Commission, and Pedestrian and Bicycle Safety Committee on July 12, 2019.
4. After notice and publication was provided pursuant to M.G.L. Chapter 40A, Section 9 and 11, the public hearing on the Application commenced on August 13, 2019, in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts. The Planning Board closed the public hearing on September 3, 2019.
5. Westwood Planning Board Members David L. Atkins, Brian D. Gorman, Christopher A. Pfaff, Deborah J. Conant, and William F. Delay deliberated on the Application at a duly authorized meeting on September 3, 2019.

#### **PROJECT FINDINGS:**

1. The subject property consists of approximately 83.88 acres located at 10 Longwood Drive, Westwood, MA and is shown as Map 06 Lot 018 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. Presently, the project site contains Fox Hill Village Senior Living Community. The property received a special permit from the Zoning Board of Appeals in 1988.
3. The Applicant proposes to proposes demolition of an existing two-story south building wing formerly occupied by the Clark House Nursing Facility to construct a new three-story building addition for 24 assisted living residences with associated walkways, parking, landscaping, utilities and associated site work at 10 Longwood Drive, Westwood, MA 02090.
4. The Project Site is located within the Administrative-Research-Office (ARO) zoning district. The proposed construction of a new three-story building addition for 24 assisted living residences with associated walkways, parking, utilities and associated site work is subject to Environmental Impact Design Review (EIDR), pursuant to Section 7.3 and 7.1 [Earth Material Movement] of the Westwood Zoning Bylaw. The proposed use requires a special permit from the Zoning Board of Appeals pursuant to Section 8.4. The Planning Board will provide comments and a recommendation to the Board of Appeals on the affordability component during the Zoning Board's review.
5. Applicant provided earth work calculations for the proposed work demonstrating a total earth moving volume of 6,150 cubic yards are to be moved and an earth material movement approval

is required due to increased elevation grades and over 250 cubic yards, pursuant to Section 7.1 of the Zoning Bylaw.

- 6. The Project, as modified by the Conditions of this Decision, will not be detrimental to the Town or to the general character or visual appearance of the surrounding properties, and will be consistent with all applicable standards set forth in Section 7.3.8 of the Westwood Zoning Bylaw.

**WAIVERS:**

The Planning Board considered requests for the specific waivers listed below, and determined that such waivers will result in a substantially improved project; that such project will otherwise meet the performance and design standards set forth in this Section; and that such waivers will pose no substantial detriment to any adjacent property or proximate neighborhood, and will not nullify or substantially derogate from the intent or purpose of the Westwood Zoning Bylaw. On September 3, 2019, the following waivers are hereby granted by the Planning Board:

- 1. The Board voted to waive the strict requirement of Section 7.3.7.3 requiring a professionally traffic study because no increase is projected with this project.
- 2. The Board voted to waive a general Layout Plan. The Contents of the General Layout Map are shown on the Layout and Materials Plan Sheet C-102.
- 3. The Board voted to waive a Plan and Profile of Streets and Ways Requirements. The proposed development is a re-design of the existing service drive. No new access roads are proposed.
- 4. The Board voted to waive the requirement for submission of a presentation model under Section 7.3.7.7 of the Zoning Bylaw. The materials provided are adequate to visualize the proposed project.

**DECISION:**

On September 3, 2019, the Planning Board evaluated the Application in relation to the above Findings, and as the approving authority, by a vote of five (5) in favor and none (0) opposed, hereby **grants** Environmental Impact and Design Review (EIDR) Approval and Earth Material Movement (EMM) Approval pursuant to Section 7.1 and 7.3 of the Westwood Zoning Bylaw for the Project as described above and in the application therefor filed in the office of the Planning Board and the Town Clerk on July 16, 2019 and as shown on the plans entitled "Fox Hill Village Amenity and Assisted Living Addition," prepared by Perkins Eastman, dated July 11, 2019 and revised through August 22, 2019 and all material submitted through close of hearing September 3, 2019, subject to the Conditions stated herein, all of which are an integral part hereof:

**CONDITIONS OF APPROVAL:**

- 1. The approved project plans shall be substantially as approved by the Planning Board as shown on the plans entitled "Fox Hill Village Amenity and Assisted Living Addition", prepared by Perkins Eastman, dated July 11, 2019 and revised through August 22, 2019. Any changes as a result of Zoning Board of Appeals or Conservation Commission reviews shall be submitted in writing to the Town Planner by the Applicant and revised plans submitted. If

changes are determined to be minor in nature by the Town Planner and Building Commissioner, an administrative approval may be permitted. Plan changes that are determined to be major by the Town Planner and Building Commissioner such as those that impact the overall appearance, alterations to the traffic flow, occupancy, and parking shall return to the Planning Board for review. The Town Planner shall notify the Planning Board of any plan revisions.

2. Applicant is responsible for filing the special permit application for the use with the Zoning Board of Appeals. The specific proposal to meet the affordability requirements of Section 8.4.3.6 of the Zoning Bylaw shall be submitted to the Zoning Board of Appeals and referred to the Planning Board for review and a recommendation to the Zoning Board of Appeals.
3. The Conservation Agent and Town Engineer or other representative from the Department of Public Works shall observe the soil conditions in excavation for rain gardens prior to the installation of the plants for the rain garden. Applicant is responsible for coordinating with the Conservation and Public Works.
4. Erosion and sediment controls in a form acceptable to the Conservation Commission shall be required prior to site work and maintained throughout construction to prevent erosion.
5. The final signed copy of the SWPPP (Stormwater Pollution Prevention Plan) shall be submitted to the Town Planner and Conservation Agent prior to construction.
6. All landscaping shall be installed prior to occupancy, unless work is completed between November 15 – April 15 and July 15-September, in which case the Applicant shall receive a conditional occupancy permit and shall be required to plant during the next growing season: April 15-July 15 and September 15-November 15. Applicant is required for replacement of any trees and plants that do not survive and shall be replaced in-kind during the next available growing season.
7. A final as-built plan shall be submitted in PDF and AutoCAD format showing all utilities, drainage structures, parking, walkways, landscaping etc.
8. Applicant shall provide a radio box and BDA (bidirectional amplifier) as required by the Fire Department.
9. Applicant shall hire a licensed pest control company to inspect the premises for rodents. If rodent activity is found, extermination must be performed on interior of buildings for a minimum of 10 days prior to building demolition. Interior bait stations shall be removed prior to building demolition. Rodent bait stations must be installed around perimeter of job site throughout the demolition process. All extermination to be performed by a licensed PCO and report must be provided to the Health Dept.
10. The applicant shall document that there are no underground tanks on site. If underground tanks are present, they must be removed according to DEP and local regulations.
11. Applicant shall document that there is no Freon on site. If present, Freon shall be professionally remediated and documentation provided the Board of Health
12. Applicant shall submit in writing the source of water which will be readily available to control dust during demolition.
13. Applicant shall use a waste hauler, licensed by the Westwood Board of Health to dispose of construction debris.
14. If necessary, the applicant shall provide a portable toilet, licensed by the Westwood Board of Health

15. Applicant shall perform an asbestos survey to be conducted in compliance with DEP Asbestos Regulations; and if found must be remediated according to DEP regulations. A copy of the report shall be provided to the building and health divisions.
16. A detailed construction management plan shall be provided for the Board of Health's review detailing how any disruptions to ongoing operations related to food service and refuse removal and storage will be mitigated. In addition a plan shall be provided detailing what steps will be taken to minimize the construction related impacts on the existing residents and staff on site through the duration of the project.
17. Any canteen truck contracted to service the construction site shall be licensed by the Board of Health.
18. The swimming pool and food establishment plans shall be submitted for approval to the Board of Health.
19. The construction vehicles carrying earth material shall enter the project site via Longwood/Lowder Brook Drive from High Street/Rte. 109 only. The trucks shall stay on route 109 to and from the project site and not travel through other neighborhood roads.
20. All Project related construction and earth material movement shall comply with the Town's General Bylaws Chapter 292, for Noise and Construction between 7:00 a.m. and 7:00 p.m. Monday through Saturday and 12:00 p.m. to 7:00 p.m. on Sundays.
21. Applicant shall submit a certification from a professional that the proposed soil to be brought to the property does not contain any hazardous or substandard material, pursuant to Section 7.1.6 of the Zoning Bylaw. The soil certification shall be submitted and approved by the Town Planner prior to any fill being brought on site and prior to the issuance of a building permit.
22. Applicant shall promptly repair any damage which Applicant causes to sidewalks, street pavement, signs or other fixtures or features within the public right of way, after obtaining permission from the Town Department of Public Works. Such repairs shall be performed to Town of Westwood standards.
23. The existing pavement on Longwood Drive shall be protected from damage from loading and unloading of material and/or equipment related to the proposed construction.
24. This EIDR Approval shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within two (2) years following the grant thereof. The Planning Board may extend such approval, for good cause, upon the written request of the Applicant. In the case of the EIDR Approval, the term "substantial use thereof or construction thereunder" shall mean the commencement and substantial progress of the approved activity.
25. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.

### **APPLICATION AND PLANS**

The Planning Board evaluated the Application filed by or on behalf of the Applicants in the Planning Office and the Office of the Town Clerk on July 16, 2019. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application for Environmental Impact and Design Review (EIDR); filed with Town Clerk on July 16, 2019: submitted by Fox Hill Village Homeowners Corporation.

2. Stormwater Management Report prepared by CDW Consultants, Inc. dated July 10, 2019.
3. Narrative Report prepared by CDW Consultants, Inc. dated July 10, 2019.
4. Aerial Photo entitled "Site Plan – Proximity to neighbors" prepared by Perkins Eastman.
5. Design Plans entitled "Fox Hill Village Amenity and Assisted Living Addition", prepared by Perkins Eastman dated July 11, 2019, received by the Town Clerk on July 16, 2019, consisting of the following 22 pages. Revised plans set entitled "Fox Hill Village Amenity and Assisted Living Addition", prepared by Perkins Eastman dated 8/22/19 consisting of 25 pages:

- Sheet 1 Cover Sheet
- Sheet 2 Existing Conditions Survey 1 of 2
- Sheet 3 Existing Conditions Survey 2 of 2
- C -101 Demolition and Erosion Control Plan
- C -102 Layout and Materials Plan
- C -103 Grading and Drainage Plan
- C -104 Utilities Plan
- C- 105 Construction Details
- C -106 Construction Details
- C -107 Construction Details
- C -108 Construction Details
- C -109 Construction Details
- S -100.1 Foundation Plan Area 1
- S -206 Foundation Sections
- S -206 Foundation Sections
- A -100 Basement Floor Plan
- A-101.1 First Floor Plan
- A-101.2 First Floor Plan
- A-102.1 Second & Third Floor Plan
- A -201 Exterior Elevations
- A -202 Exterior Elevations
- A -203 Materials Board
- LA-030 Landscape Plan
- LA-031 Landscape Details
- LA-032 Exterior Lighting Plan
- LA-033 Site Details

6. Memorandum from Beta Engineering to Town Planner re: Fox Hill Amenity and Assisted Living-10 Longwood Drive Westwood, MA dated August 9, 2019.
7. Checklist for Stormwater Report dated 7/10/19.
8. Estimated Operations and Maintenance Budget dated 8/16/19.
9. CDW Consultants, Inc. Response Letter to BETA site Plan Peer Review dated 8/16/19.
10. CEF Draft# Site Logistics Plan prepared by Perkins Eastman dated 8/21/19.
11. Stormwater Pollution Prevention Plan (SWPP) prepared by C.E. Floyd Company, Inc. dated 8/21/19.

12. Stormwater –BMP Plan prepared by CDW Consultants, Inc. dated 8/21/19.
13. Town staff review comments from View Permit for record number PB-19-45 for 10 Longwood Drive, Westwood Ma.
14. Review letter from peer reviewer Phil Paradis of BETA Group to Abigail McCabe, dated August 28, 2019.

### **RECORD OF VOTE**

The following members of the Planning Board voted on September 3, 2019 to grant EIDR & EMM Approval for the abovementioned Project: David L. Atkins, Brian D. Gorman, Christopher A. Pfaff, Deborah J. Conant, and William F. Delay.

The following members of the Planning Board voted in opposition to EIDR & EMM Approval for the abovementioned Project: None.



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Abigail McCabe  
Town Planner  
September 6, 2019