

**Town of Westwood**  
Commonwealth of Massachusetts

David L. Atkins, Jr., Chairman  
Brian D. Gorman, Vice Chairman  
Christopher A. Pfaff, Secretary  
Deborah J. Conant  
Michael L. McCusker



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**PLANNING BOARD**

**DECISION**

**PROJECT DEVELOPMENT REVIEW (PDR) APPROVAL**

**February 26, 2019**

**PROPONENT:** University Station Phase 2, LLC  
c/o New England Development  
75 Park Plaza, Third Floor  
Boston, MA 02116

**PROPERTY OWNER:** Same

**PROPERTY LOCUS:** Approximately 2.0 acres of land within Development Area B, as shown on the Master Development Plan dated December 20, 2018 within the University Avenue Mixed Use Overlay District (UAMUD) on the east side of University Avenue. The project area is on a portion of the lot currently known as University Avenue Assessors' Map 33, Lot 056.

**PROJECT SUMMARY**

The proponent proposes to construct a two-story office building with approximately 40,000 sq. ft. of office use and related parking and site improvements. The project is located in the University Avenue Mixed Use Overlay District (UAMUD) and occupies an area on the easterly side of University Avenue south of the Brigham Way intersection. The site is also located in the Water Resource Protection Overlay District (WRPOD).

The project includes the two-story, 40,000 sq. ft. office buildings with associated utility infrastructure and surface parking. The surface parking lot consists of 165 total parking spaces. The facility will have vehicular access to University Avenue via Brigham Way. The Modified Master Development Plan, last revised November 22, 2016, and approved by the Planning Board on April 11, 2017 was originally proposed for a combined retail and office development. The Master Development Plan revised December 20, 2018 was approved for a Minor Modification By the Building Commissioner and Town Planner under Section 9.7.12.12 of the Zoning Bylaw to allow all office use in this building located in Development Area B.

## **FINDINGS**

After having reviewed all the plans and reports filed by the Proponent and its representatives; having considered the technical analysis, supplemental information provided during the course of the public meeting, 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 has determined that the PDR Application complies with the requirements of Section 9.7, and other applicable sections of the Zoning Bylaw. Specifically, the Planning Board makes the following Procedural Findings and Project Findings:

1. On December 20, 2018, an application packet was filed by or on behalf of University Station Phase 2, LLC c/o New England Development, pursuant to Section 9.7 [University Avenue Mixed Use Overlay District (UAMUD) of the Westwood Zoning Bylaw with the Westwood Planning Board and the Town Clerk (hereinafter “Application”).
2. The Planning Board distributed copies of the Application to other Town of Westwood boards and commissions, departments and officials including, but not limited to, the Board of 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, Pedestrian Bike Safety Committee, Department of Public Works, Historic Commission, Fire Chief, Police Chief and Acting Town Engineer electronically on December 27, 2019.
3. The Planning Board commenced its consideration of the Application at a properly noticed public meeting on January 29, 2019, at Carby Municipal Office Building, 50 Carby Street, Westwood, MA; and continued said review at a properly noticed public meeting on February 26, 2019, in the same location.
4. Westwood Planning Board members Christopher A. Pfaff, Michael L. McCusker, Brian D. Gorman, Deborah J. Conant, and David L. Atkins, Jr. were present for all sessions of the public meeting during which the Application was considered, and deliberated on the Application at a duly authorized meeting on February 26, 2019.

## **PROJECT FINDINGS**

On a meeting on February 26, 2019, the Planning Board made a duly authorized motion related to the following findings for the above mentioned Project Development Review at University Avenue in Development Area B.

- (1) Approve an approximately 40,000 square foot office facility and related improvements as substantially as shown in an application packet filed on behalf of University Station Phase 2 LLC c/o New England Development on December 20, 2018, as supplemented with material submitted through February 26, 2019, subject to the conditions set forth in a draft decision dated February 26, 2019 as amended and as shown on the site plans revised through February 1, 2019; and

(2)

Make the following findings:

- a. The proposed office facility project, as modified by the conditions, materially conforms to the Modified Master Development Plan, last revised November 22, 2016, and approved by the Planning Board on April 11, 2017;
- b. The proposed office facility project, as modified with the minor adjustments to the distribution of the office space and retail spaces between two buildings, were considered to be a de minimis change by the Building Commissioner and approved Administratively by the Town Planner on January 24, 2019, pursuant to the last paragraph of Section 9.7.12.12 of the Zoning Bylaw because the total square footage of the office and retail space in Development Area B was found to be consistent with the Modified Master Development Plan, last revised November 22, 2016 and approved by the Planning Board on April 11, 2017;
- c. The proposed project, as modified by the conditions, does not pose new material adverse impacts or exacerbate existing impacts that have not previously been addressed;
- d. The proposed project, as modified by the conditions, results in net fiscal benefits to the town, and the proponent has adequately mitigated any adverse fiscal impacts by, among other things, previously entering into a Development Agreement with the town;
- e. No previously developed portion of the UAMUD project has resulted in a material adverse impact that does not comply with regulatory requirements or is substantially detrimental to public health, safety or the environment; and
- f. The proposed project, as modified by the conditions, complies with the requirements of Section 9.7 of the Westwood Zoning Bylaw.
- g. Proposed use is an office use where employees and clients are expected to have lower turnover than retail users and the 165 parking spaces in 8.5 ft. by 18 ft. parking stalls as shown on the submitted plans is sufficient for the proposed office use.
- h. Due to the office use, visitors and vehicle owners are expected to be consistent and adapt to the reduced width of the parking spaces.
- i. The property owner is responsible for managing the parking lot.
- j. The parking within the University Station Development in the UAMUD zoning, allows for alternative parking arrangements based on a positive determination of the Planning Board that the proposed parking is sufficient for the proposed use.

## **DECISION**

At a meeting of the Westwood Planning Board held on February 26, 2019, on a motion made by Brian D. Gorman, seconded by Michael L. McCusker, the Planning Board by a vote of five (5) in favor and none (0) opposed, voted to grant Project Development Review (PDR) Approval pursuant to Section 9.7.12.2.2 of the Westwood Zoning Bylaw to approve an office facility as shown in an application packet filed on behalf of University Station Phase 2 LLC., on December 20, 2018, as supplemented through February 26, 2019 and as shown on plans entitled “Development Area Bo of the University Station Proposed office Building, revised through February 1, 2019, prepared by Tetra Tech, subject to the conditions set forth below:

### **CONDITIONS OF APPROVAL**

The approval of the abovementioned Application is subject to the following conditions:

1. The crosswalk in the center of the parking lot shall be stamped asphalt with a continuous and distinguishable color to match the crosswalks elsewhere in the University Station Development such as in the parking lot with Del Frisco’s Restaurant and the Courtyard Marriot in Core Development Area 3.
2. Applicant shall submit to the Town Planner and BETA Group a final revised lighting plan that clarifies the limits of work and updated photometric calculation summary for review and approval. There shall be no up-lighting of the building. The interior building lighting shall be designed to include a night lighting scheme with reduced lighting after hours with lights that may be dimmed, on motion sensors, or be turned off after hours to eliminate light impacts overnight through the glass curtainwall.
3. A final signage plan shall be submitted to the Town Planner for review and approval prior to application for a building permit to confirm compliance with the zoning bylaw. The building shall have signage that prominently displays the address from University Avenue for ease of emergency response. If final signage does not comply with the Zoning Bylaw, Applicant shall file an application for a project specific signage alterative package to the Planning Board for review and approval.
4. The backup generator shall uses natural gas as a fuel source and shall be screened from University Avenue with landscaping as shown on the plan. If landscaping does not fully screen view from street, the Town Planner may require additional plantings.
5. All landscaping shall be installed prior to final certificate of occupancy. If occupancy occurs after mid-November and prior to mid-April, the Applicant may plant in next available growing season.
6. The final Operation and Maintenance Plan shall be submitted to BETA Group, Dedham Westwood Water District (DWWD), and the Town Planner for review and approval at

least 30 days prior to requesting an occupancy permit. The Owner is prohibited from using sodium chloride for de-icing. Only calcium chloride or other non-sodium based de-icers are permitted unless another alternative is approved by DWWD.

7. A final as-built plan shall be submitted to in PDF and Auto-CAD format to the Town Planner and Public Works Departments prior to occupancy permit. The as-built plan shall show all parking, walks, landscaping, pavement parking's, site features, and utilities.
8. Applicant shall use a waste hauler, licensed by the Westwood Board of Health to dispose of the construction debris and trash disposal.
9. If necessary during construction, the Applicant shall provide a portable toilet, licensed by the Westwood Board of Health.
10. The Town Planner shall review and inspect the site for compliance with the Planning Board's approval prior to final occupancy.

### **RECORD OF VOTE**

The following members of the Planning Board voted to *grant* Project Development Review (PDR) Approval pursuant to Section 9.7.12.2.2 of the Westwood Zoning Bylaw for the abovementioned Application, subject to the Conditions stated above: David L. Atkins, Brian D. Gorman, Deborah J. Conant, Michael L. McCusker, and Christopher A. Pfaff.

The following members of the Planning Board voted to *deny* Project Development Review (PDR) Approval pursuant to Section 9.7.12.2.2 of the Westwood Zoning Bylaw for the abovementioned Application: None.



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Abigail McCabe, Town Planner

March 4, 2019