

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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



Abigail McCabe, Town Planner
amccabe@townhall.westwood.ma.us
(781) 251-2581

Karyn Flynn, Land Use &
Licensing Specialist
kflynn@townhall.westwood.ma.us
(781) 767-6344

PLANNING BOARD

**DECISION OF THE PLANNING BOARD
ENVIRONMENTAL IMPACT AND DESIGN REVIEW**

APPLICANT: Jennifer M. Luoni, Dacon Corporation
16 Huron Drive
Natick, MA 01760

PROPERTY OWNER: SLD University Avenue, LLC
25-31 Dartmouth Street
Westwood, MA 02090

PROPERTY LOCUS: 240 University Avenue
Westwood, MA 02090
Assessor's Map 38, Lot 006

BACKGROUND AND PROJECT SUMMARY

The Applicant proposes exterior renovations that include: interior renovations, replacing all exterior doors and windows, remove and replace some areas of brick veneer, remove awnings and canopies, construction of new egress on University Avenue entrance, full reclamation of the parking lot, re-striping the parking lot to provide 55 parking spaces including three (3) accessible parking spaces, installation of drainage structures including, water quality unit, piping, and new deep sump catch basins and infiltration of roof runoff, and new landscape plantings to an existing commercial building. No changes to the building's footprint are proposed.

The property is located in the Industrial (I) zoning district, the Water Resources Protection Overlay District (WRPOD), the Wireless Communications Overlay District (WCOD), and the Flexible Multiple Use Overlay District (FMUOD) and developed under the Industrial (I) zoning. The proposed exterior renovations were subject to Environmental Impact and Design Review (EIDR), pursuant to Section 7.3 of the Westwood 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 November 8, 2018, an application was filed on behalf of Dacon Corporation, pursuant to Section 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 *Westwood Press*, a newspaper of general circulation in Westwood, on November 23, 2018 and November 30, 2018. Notice of the public hearing was posted in the Westwood Town Hall commencing on November 15, 2018, and continuing through the opening of the public hearing on December 11, 2018. On December 11, 2018, the Planning Board voted to continue the hearing to January 8, 2019 at 50 Carby Street. 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 November 19, 2018.
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/Engineering consultant at BETA Group, Historical Commission, Dedham-Westwood Water District, and Pedestrian and Bicycle Safety Committee on November 9, 2018.
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 December 11, 2018, in the Downey School Cafeteria located in the Downey School at 250 Downey Street, Westwood, MA 02090, and was continued to January 8, 2019. The Planning Board closed the public hearing on January 8, 2019.
5. Westwood Planning Board Members David L. Atkins, Brian D. Gorman, Christopher A. Pfaff, Deborah J. Conant, and Michael L. McCusker deliberated on the Application at a duly authorized meeting on January 8, 2019.

PROJECT FINDINGS:

1. The subject property consists of approximately 3 acres located at 240 University Avenue and is shown as Assessor's Map 38, Lot 006 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. Presently, the project site contains a single-story office building with approximately ~46,390 square feet and surface parking.
3. The Applicant proposes exterior renovations that include: interior renovations, replacing all exterior doors and windows, remove and replace some areas of brick veneer, remove awnings and canopies, construction of new egress on University

Avenue entrance, full reclamation of the parking lot, re-striping the parking lot to provide 55 parking spaces including three (3) accessible parking spaces, installation of drainage structures including, water quality unit, piping, and new deep sump catch basins and infiltration of roof runoff, dumpster pad and enclosure, and new landscape plantings to an existing commercial building. No changes to the building's footprint are proposed.

4. The Project Site is located within the Industrial (I) zoning district, the Water Resources Protection Overlay District (WRPOD), the Wireless Communications Overlay District (WCOD), and the Flexible Multiple Use Overlay District (FMUOD). The existing building and the proposed changes are developed under the Industrial (I) zoning. The proposed exterior renovations are allowed subject to Environmental Impact Design Review (EIDR), pursuant to Section 7.3 of the Westwood Zoning Bylaw.
5. The project proposes reclamation of the parking lot and re-striping the lot to provide a total of 55 parking spaces including three (3) accessible spaces. The existing building is currently vacant and not all tenants have been identified but are expected to be filled with warehouse uses and similar uses, which requires 55 parking spaces based on the previous uses which were warehouse, office, and restaurant uses, pursuant to Section 6.1 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 or the Planning Board's Rules and Regulations. The following waivers are hereby granted by the Planning Board:

1. Waiver of submission of the requirement to submit a traffic study prepared by a Registered Professional Engineer under Section 7.3.7.3 of the Westwood Zoning Bylaw. The Board finds this requirement is not necessary because the project is not expected to generate additional trip generation as the uses are unknown, but anticipated to the same or similar as previous uses.
2. Waiver of the EIDR Rules and Regulations requirement Section 7.1.4 to provide the general layout map on a separate plan from the proposed plan. The Board finds that the submission with the general layout map on the proposed site development plan is sufficient.

3. Waiver of submission of a presentation model required by Section 7.3.7.7 of the Westwood Zoning Bylaw.
4. Waiver of the requirement to provide an exterior lighting plan as required by Section 7.3.7.2 of the Zoning Bylaw.
5. Waiver of the requirement to provide fill removal calculations as required by EIDR Rules and Regulations Section 7.2.6. The Board finds this requirement is not necessary due to the limited grading work to the parking lot and no change in the building's footprint.

DECISION:

At a hearing on January 8, 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 **Approval** pursuant to Section 7.3 of the Westwood Zoning Bylaw for the Project as described above and in the application therefor filed in the office of the Town Clerk on November 8, 2018 and as shown on the plan entitled "240 University Ave Renovation, Westwood, MA", prepared by Meridan Associate, Site Development Plan Sheet C1.0, Site Details Sheet C2.0, and sheet C2.1 revised through January 7, 2019, and the storm water report dated January 7, 2019, subject to the Conditions stated herein, all of which are an integral part hereof:

CONDITIONS OF APPROVAL:

1. The Stormwater Management Report entitled "SLD University Avenue, LLC Site Development, 240 University Avenue, prepared by Meridian Associates, Inc., prepared for SLD University Avenue, dated January 7, 2019 Section on De-Icing on page 3 shall be updated to reflect that the use of sodium chloride "rock salt" as a snow removal and/or de-icing agent is strictly prohibited. Only non-sodium based deicing agents are permitted.
2. Applicant shall install bicycle rack on the property. The bicycle rack shall be an approved rack type such as the "Inverted U", "Post & Loop", or "Circular Type" rack style to match the acceptable bike rack types as outlined in the Planning Board Bicycle Parking Standards approved April 10, 2018.
3. Applicant/Property Owner shall file an updated parking summary and parking calculations to the Town Planner and Building Commissioner for review and approval when new uses are proposed to determine parking compliance with the minimum parking requirements of Section 6.1 of the Zoning Bylaw.
4. Any future change of use or exterior alternations requires EIDR review and approval prior to any work, pursuant to Section 7.3 of the Zoning Bylaw.

5. Prior to installation of the subsurface drainage system, Applicant shall perform soil tests and have a DPW representative present during the soil tests to verify soil assumptions to capture 1" of roof runoff into the subsurface infiltration system.
6. Applicant shall submit complete dumpster detail showing the screening and enclosure dimensions to Town Planner for review and approval prior to occupancy. The dumpster shall include a gate that shall be closed at all times and the screening shall be repaired as necessary. Dumpster shall be in accordance with Board of Health regulations.
7. Exterior lights, other than security lights, shall be turned off an hour after the close of business.
8. Trees and associated landscape improvements shall be installed and completed prior to occupancy. If occupancy is ready during the winter months, Applicant shall install and complete plantings by May 30, 2019.
9. The trees shall be at least 4 inch caliper at the time of planting and shrubs at least 24 inches at time of planting.
10. Applicant shall contact the Department of Public Works at least 48 hours in advance of soil testing and to inspect during the installation and backfill of the drainage structures and systems.
11. Applicant shall repair any damage caused to roads or structures in the p 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. Such repairs shall be performed to Town of Westwood standards.
12. Applicant shall submit asbestos survey conducted in compliance with DEP Asbestos Regulations to the Board of Health and Building Commissioner.
13. The 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 is responsible for filing any other applications or permits that may be required such as with the Conservation commission, Zoning Board of Appeals, Board of Health, or any other board, committee, commission or regulatory agency of the Commonwealth or federal government.
16. 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 approved vertical construction activity.

17. 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 November 8, 2018 and throughout the public hearing process. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application prepared by Jennifer Luoni on behalf of Dacon Corporation, dated November 7, 2018, received by the Town Clerk and Planning Department on November 8, 2018.
2. Plans entitled "240 University Ave Renovation, 240 University Ave. Westwood, MA", prepared by Meridian Associates, 69 Milk Street Suite 302 Westborough, MA 01915, Site Development Plan Sheet C1.0, Site Details Sheet C2.0, Site Details C2.1, dated November 5, 2018, and last revised on January 7, 2019.
3. Memorandum from Phil Paradis and Christopher Luppino of Beta Engineering to Town Planner, Subject 240 University Avenue, dated December 7, 2018, and revised January 8, 2019.
4. Stormwater Management Report entitled "SLD University Avenue, LLC Site Development, 240 University Avenue, prepared by Meridian Associates, Inc., prepared for SLD University Avenue, dated January 7, 2019.
5. Specifications for from Missouri Botanical Garden, for Ilex Glabra Shamrock.
6. Memorandum from Health Director, Linda Shea to Abigail McCabe, dated November 26, 2018.
7. Memorandum from Conservation Agent, Karon Skinner Catrone to Abigail McCabe, dated November 13, 2018.

RECORD OF VOTE

The following members of the Planning Board voted on January 8, 2019 to grant EIDR Approval for the abovementioned Project: David L. Atkins, Brian D. Gorman, Christopher A. Pfaff, Deborah J. Conant, and Michael L. McCusker.

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



Abigail McCabe, Town Planner

January 14, 2019