

Town of Westwood
Commonwealth of Massachusetts

Brian D. Gorman, Chairman
Deborah J. Conant, Vice Chairman
Christopher A. Pfaff, Secretary
David L. Atkins
William F. Delay



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PLANNING BOARD

LEAVE TO WITHDRAW – SPECIAL PERMIT – FINDINGS AND DECISION

215 High Street and 258 Grove Street (Assessor's Map 05, Lot 039 & 025)

On August 29, 2019, the Westwood Planning Board received an application for an Open Space Residential Development (OSRD) Special Permit for property located at 215 High Street and open space partially on 258 Grove Street, also shown on the Assessor's Maps as Map 05, Lots 039 and 025, Westwood, MA 02090 and thereafter held a hearing commencing on October 1, 2019 at Carby Municipal Offices, 50 Carby Street, Westwood, MA 02090 and continuing to November 5, 2019 and December 10, 2019. The application from Michael Yanoff of High Meadows, LLC for an Open Space Residential Development (OSRD) Special Permit pursuant to Section 8.3 of the Zoning Bylaw [Open Space Residential Development] and application also included a consolidated Environmental Impact and Design Review (EIDR), pursuant to Section 7.1 and 7.3 for Earth Material Movement for the proposed associated site and earth work.

FINDINGS

1. On August 29, 2019, an application was filed by or on behalf of Michael Yanoff of High Meadows, LLC, for a Special Permit pursuant to Section 8.3 [Open Space Residential Development (OSRD)] of the Westwood Zoning Bylaw with the Westwood Planning Board. The Town Planner determined the Application complete on September 5, 2019 and the application as submitted to the Westwood Town Clerk on September 5, 2019.
2. High Meadows, LLC whose address is 858 Washington Street, Dedham, MA 02026, is the applicant for land situated at 215 High Street in Westwood for property owned by Joseph and Marjorie Flanagan as described in deed recorded at the Norfolk County Registry of Deeds Book 12119, Page 100. The open space portion of the proposal includes a portion of land abutting 215 High Street at 258 Grove Street owned by Joanna C. Kjellman.
3. The Westwood Planning Board is the Special Permit Granting Authority for all OSRD Special Permits.
4. 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 September 12, 2019 and again on September 19, 2019. Notice of the public hearing was posted in the Westwood Town Hall commencing on September 5, 2019, and continuing through the opening of the public hearing on October 1, 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 September 9, 2019.

5. After notice and publication was provided pursuant to M.G.L. Chapter 40A, Sections 9 and 11, the public hearing on the Application commenced on October 1, 2019 at the Carby Municipal Building at 50 Carby Street in the Champagne Meeting Room, Westwood, MA, and was continued to November 5, 2019 and December 10, 2019 at the same location. The Planning Board closed the public hearing at its meeting on December 10, 2019 in the Champagne Meeting Room, 50 Carby Street, Westwood, MA.
6. Westwood Planning Board members Brian D. Gorman, Deborah J. Conant, David L. Atkins, Jr., Christopher A. Pfaff and William F. Delay participated for all of the public hearing sessions and deliberated on the Application at a duly authorized meeting on December 10, 2019. On November 5, 2019, William F. Delay participated remotely by telephone in compliance with the Town's Remote Participation Policy.
7. Said land is situated in a district classified under the Westwood Zoning Bylaw as the (SRE) Single Residence E zoning district.
8. Pursuant to Section 8.3.14 [Pre-application Review by Land Use Committee] of the Zoning Bylaw, the Land Use Committee provided a positive recommendation on the Applicant's proposal on January 4, 2018.
9. Pursuant to Section 8.3.15 [Preliminary Review by Planning Board] of the Zoning Bylaw, the Planning Board granted Preliminary Review Approval for the Applicant's proposal for 19 age-restricted OSRD residences on March 20, 2018.
10. Applicant sought to demolish the existing structures to construct nineteen (19) units for senior residents, over 55 years of age, consisting of single-family detached units and four quad style units with two car garages, an access drive, and an open space area, landscaping, and associated parking and site work. Over the course of the public hearings, the project scope was reduced to fifteen (15) total residential units in single-family detached homes.
11. The Applicant, Michael Yanoff of High Meadows, LLC, requested a Leave to Withdraw Without Prejudice by letter dated December 3, 2019.

DECISION

At a meeting of the Planning Board on Tuesday, December 10, 2019, and on a motion made by Deborah J. Conant, and seconded by William F. Delay, the Board voted to 5-0 to **grant** the applicant's request for **Leave to Withdraw Without Prejudice** relative to the Special Permit for the construction of an Open Space Residential Development under Zoning Bylaw Section 8.3 and the consolidated Environmental Impact and Design for Earth Material Movement under Zoning Bylaw Section 7.1 and 7.3.

RECORD OF VOTE

The following members of the Planning Board voted to grant the applicant's request for the Leave to Withdraw Without Prejudice: David L. Atkins, Jr., Brian D. Gorman, Deborah J. Conant, William F. Delay, and Christopher A. Pfaff.

The following members of the Planning Board voted in opposition to the Leave to Withdraw Without Prejudice: None.



Abby McCabe, Town Planner

DATED: December 23, 2019