

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

Brian D. Gorman, Chair
Deborah J. Conant, Vice Chair
Christopher A. Pfaff, Secretary
David L. Atkins, Jr.
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PLANNING BOARD
NOTICE OF DECISION

RECEIVED

By Town Clerk at 10:52 am, Nov 22, 2019


In compliance with Chapter 40A of the General Laws of the Commonwealth of Massachusetts, you are hereby notified that the Westwood Planning Board has, by a vote of 4 in favor and 0 opposed, voted to **grant** the application of Beth Israel Deaconess Medical Center (BIDMC), as voted on November 19, 2019, and filed with the Town Clerk on October 24, 2019, requesting Planning Board Special Permit pursuant to Zoning Bylaw Section 6.1.9 [Reduction of Required Number of Minimum Parking Spaces] and also requesting Environmental Impact and Design Review (EIDR) Approval pursuant to Section 7.3 of the Westwood Zoning Bylaw. Application proposes a change of use to house a central pharmaceutical warehouse and distribution facility, storage, office use, specialty retail pharmacy, and medical infusion site (office of doctor not on premises) in three phases in the Highway Business (HB) zoning district. Application proposes interior renovations; exterior alterations include new rooftop equipment and new trash and recycling facilities. Special Permit application request relief of 61 spaces to use the existing 259 parking spaces (320 spaces required).

LAND AFFECTED: 80-84 Wilson Way (Assessors' Map 23, Lot 235)

The Planning Board hereby certifies that attached hereto is a true and complete copy of the Board's decision and that said decision and any plans referred to therein have been filed with the Planning Board.

Appeals, if any, shall be made pursuant to Section 17 of said M.G.L. Chapter 40A and shall be filed within twenty (20) days after the filing of a copy of the decision in the office of the Town Clerk.

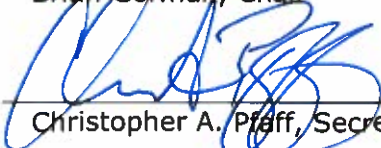
WESTWOOD PLANNING BOARD



Brian Gorman, Chair



Deborah J. Conant, Vice Chairman



Christopher A. Pfaff, Secretary

William F. Delay



David L. Atkins, Jr.

Dated: 11/19/19

**DECISION OF THE PLANNING BOARD
SPECIAL PERMIT REDUCTION in REQUIRED PARKING
ENVIRONMENTAL IMPACT AND DESIGN REVIEW**

APPLICANT: Beth Israel Deaconess Medical Center, Inc.
Office of the General Counsel
109 Brookline Avenue, Suite 300
Boston, MA 02215

PROPERTY OWNER: Fairlane Westwood, LLC
1035 Cambridge Street
Cambridge, MA 02141

PROPERTY LOCUS: 80-84 Wilson Way (Assessor's Map 23, Lot 235)
Westwood, MA 02090

BACKGROUND AND PROJECT SUMMARY

The Applicant, Beth Israel Deaconess Medical Center (BIDMC), proposes interior renovations within the existing building and minor exterior alterations that include new rooftop mechanical equipment, a new emergency backup generator, and new trash compactor and dumpster. The Applicant requests Planning Board Special Permit pursuant to Zoning Bylaw Section 6.1.9 [Reduction of Required Number of Minimum Parking Spaces] and also requests a consolidated Environmental Impact and Design Review (EIDR) Approval pursuant to Section 7.3 of the Westwood Zoning Bylaw for the change of use. The application proposes a change of use for a central pharmaceutical warehouse and distribution facility, storage, office use, wholesale, specialty and mail order retail pharmacy, and medical infusion site over three phases in the Highway Business (HB) zoning district. The Special Permit application requests relief of 61 spaces to use the existing 259 parking spaces when a minimum of 320 spaces are required pursuant to Section 6.1 [Off-Street Parking Requirements].

The property is located in the Highway Business (HB) and the Flexible Multiple Use Overlay District 3 (FMUOD) and Wireless Communications Overlay District (WCOD). The proposed uses are permitted by-right in the HB zoning district pursuant to Sections 4.1.5.6 & 4.1.5.7 Retail Sales and Services, Professional Services Establishment pursuant to Section 4.1.5.20, Office of a Doctor or Dentist not a resident on premises pursuant to Section 4.1.5.22, Research and Development pursuant to Section 4.1.6.7, Warehouse, wholesale or distribution facility pursuant to Section 4.1.6.3, and Light Manufacturing and Manufacturing pursuant to Sections 4.1.6.2 and 4.1.6.5. The proposed new uses are planned to occur over three phases from the previous use of Manufacturing Section 4.1.6.5, Warehouse, wholesale sale or distribution Section 4.1.6.4, and Research and Development Section 4.1.6.7 and were subject to Environmental Impact and Design Review (EIDR), pursuant to Section 7.3 of the Westwood Zoning Bylaw. The request for a reduction in the required minimum number of parking spaces was subject to a Special Permit, pursuant to Section 6.1.9 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 October 24, 2019 a complete application requesting a Special Permit, pursuant to Section 6.1.9 [Reduction of Required Minimum Number of Parking Spaces] of the Zoning Bylaw and consolidated [Environmental Impact and Design Review] for change of use pursuant to Section 7.3 of the Zoning Bylaw, was filed by Beth Israel Deaconess Medical Center, Inc. was filed with the Westwood Planning Board and the Westwood Town Clerk (hereinafter collectively, the "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 Bulletin*, a newspaper of general circulation in Westwood, on October 31, 2019 and November 7, 2019. Notice of the public hearing was posted in the Westwood Town Hall commencing on October 25, 2019, and continuing through the opening of the public hearing on November 19, 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 October 25, 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, Select Board, Building Commissioner, Conservation Commission, Department of Public Works, Fire Chief, Police Department, Acting Town Engineer, Historical Commission and Pedestrian and Bicycle Safety Committee on October 24, 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 November 19, 2019, in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts. The Planning Board opened and closed the public hearing the same evening on November 19, 2019.
5. Westwood Planning Board Members David L. Atkins Jr., Brian D. Gorman, Christopher A. Pfaff, and Deborah J. Conant deliberated on the Application at a duly authorized meeting on November 19, 2019.

PROJECT FINDINGS:

- 1. The subject properties consist of approximately ~10.62 acres located at 80-84 Wilson Way and is shown as Map 23, Lot 235 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
- 2. Presently, the project site contains a ~119,500 sq. ft. building with associated access drives, 259 parking spaces and loading areas, and utilities. The building is currently vacant and was most previously used for Manufacturing Section 4.1.6.5, Warehouse, wholesale sale or distribution Section 4.1.6.4, and Research and Development Section 4.1.6.7 of the Zoning Bylaw.
- 3. The Applicant proposes interior renovations within the existing building and minor exterior alterations that include new rooftop mechanical equipment, a new emergency backup generator, and new trash compactor and dumpster.
- 4. The Applicant requests a Planning Board Special Permit pursuant to Zoning Bylaw Section 6.1.9 [Reduction of Required Number of Minimum Parking Spaces] and also requests a consolidated Environmental Impact and Design Review (EIDR) Approval pursuant to Section 7.3 of the Westwood Zoning Bylaw for the change of use. The Special Permit application requests relief of 61 spaces to use the existing 259 parking spaces when a minimum of 320 spaces are required pursuant to Section 6.1 [Off-Street Parking Requirements].
- 5. The proposed uses are permitted by-right in the HB zoning district pursuant to Zoning Bylaw Sections 4.1.5.6 & 4.1.5.7 Retail Sales and Services, Professional Services Establishment pursuant to Section 4.1.5.20, Office of a Doctor or Dentist not a resident on premises pursuant to Section 4.1.5.22, Research and Development pursuant to Section 4.1.6.7, Warehouse, wholesale or distribution facility pursuant to Section 4.1.6.3, and Light Manufacturing and Manufacturing pursuant to Section 4.1.6.2 and Section 4.1.6.5 of the Zoning Bylaw.
- 6. On November 19, 2019, on a motion made by David J. Atkins, Jr. and seconded by Christopher A. Pfaff, by a vote of 4-0 the Board finds the EIDR Application meets the objectives cited in Section 7.3 of the Zoning Bylaw.
- 7. On a motion made by David J. Atkins, and seconded by Christopher A. Pfaff, the Board voted 4-0 to approve the consolidated EIDR and Special Permit Applications from BIDMC based on the following Special Permit Findings of Fact per Section 6.1.9.3 of Zoning Bylaw:

- (1) The Board finds that staff and visitor parking can be accommodated within the existing parking and that therefore the proposed use does not warrant the minimum number of parking spaces otherwise required by the Zoning Bylaw.
- (2) The Board finds that the issuance of the special permit will reduce environmental impact and enhance the aesthetic quality of the site by not requiring additional impervious area.
- (3) The Board finds no changes to the building area are proposed, and that therefore the total floor area of the building associated with the special permit is no greater than that which would be permitted absent the grant of a special permit.
- (4) The Board reviewed the Applicant's proposal that includes alternative locations to provide additional parking on site. The Board finds the additional parking required pursuant to Section 6.1.2 of the Bylaw could be provided on the property (applicant has provided sketch plans showing where additional parking could be provided), if a change in use or in the intensity or character of use ever requires an increase in parking, but the additional spaces would require additional impervious area.
- (5) The Board finds that the issuance of a special permit that minimizes the impervious surface is beneficial to the environment and favorable to the character of the site and surrounding neighborhood or abutting uses, and is therefore not detrimental to the Town and is consistent with the intent of the Bylaw.

WAIVERS:

On November 19, 2019, on a motion made by Christopher A. Pfaff, seconded by David J. Atkins, Jr. the Planning Board voted 4-0, to approve the following four EIDR waivers and the two Special Permit waiver requests, from the submittal requirements of Section 7.3.7 of the Zoning Bylaw and the Planning Board Special Permit Rules and Regulations, for the reasons presented in the Applicant's waiver request submitted with the Application and discussed during the hearing, the Board finds the following submittal requirements are not necessary for review of this Application.

EIDR Waiver Requests

1. Waiver of strict compliance of Section 7.3.7.1.6 for submittal of the storm drainage runoff and calculation report for stormwater management. The Board finds in favor of this waiver request because no site work is proposed and an upgraded stormwater treatment system was approved in the property owner's June 12, 2019 EIDR Approval and November 19, 2019 EIDR Modification.
2. Waiver of strict compliance from Section 7.3.7.3 for the requirement to provide the traffic study report. The Board finds in favor of this waiver request because the

Applicant's trip generation analysis is sufficient to understand the proposed parking demands of the project.

3. Waiver of strict compliance from Section 7.3.7.2 for submission of an Exterior Lighting Plan. The Board finds in favor of the request for waiver of an exterior lighting plan because the Applicant is not proposing any exterior lighting changes.
4. Waiver from the requirement to provide a presentation model under Section 7.3.7.7. The Board finds in favor of this waiver request because this requirement not necessary for the evaluation of the new use and parking reduction request.

Special Permit Waiver Requests

1. Waiver of strict compliance with the Planning Board Special Permit Rules and Regulations that require submittal of a storm drainage runoff and calculation report for stormwater management. The Board finds in favor of this waiver request because no site work is proposed and an upgraded stormwater treatment system was approved in the property owner's June 12, 2019 EIDR Approval and November 19, 2019 EIDR Modification.
2. Waiver of strict compliance with the Planning Board Special Permit Rules and Regulations that require a traffic study report. The Board finds in favor of this waiver request because the Applicant's trip generation analysis is sufficient to understand the proposed parking demands of the project.

DECISION:

The Planning Board evaluated the Application in relation to the above Findings, and as the approving authority, by a vote of four (4) in favor and none (0) opposed, hereby **grants** Special Permit and Environmental Impact and Design Review **Approval** pursuant to Section 6.1.9 and Section 7.3 of the Westwood Zoning Bylaw for the Project as described above and in the completed Application therefor filed in the office of the Planning Board and Town Clerk on October 24, 2019, subject to the Conditions stated herein, all of which are an integral part hereof:

CONDITIONS OF APPROVAL:

1. Any future changes to exterior lighting will require an Administrative EIDR submission to the Town Planner to demonstrate compliance with current light standards of Section 6.4 of the Zoning Bylaw.
2. All exterior lights other than security lights and walkway lights shall be turned off an hour after the close of business.
3. The trash and recycling facilities shall be screened with solidly constructed material such as wood or vinyl fencing, chain link is prohibited.

4. Any future request to expand the parking shall return to the Planning Board for a modification.
5. Testing of the generator shall occur mid-day during the week to limit the impact of noise.

APPLICATION AND PLANS

The Planning Board evaluated the Application filed by or on behalf of the Applicants in the Planning Office on October 24, 2019. All of the following plans and materials are hereby incorporated by reference and made part of this Decision.

1. Application forms prepared by Beth Israel Deaconess Medical Center, Inc. for (a) Special Permit and Environmental Impact and (b) Design Review (EIDR), submitted on October 17, 2019.
2. 80-84 Wilson Way – Supplemental Discussion of Special Permit Requirements (2 pages).
3. Proposed Project Parking and Trip Generation Analysis prepared by Sean Manning PE, PTOE of VHB, prepared for Beth Israel Deaconess Medical Center – 80 Wilson Way, Westwood, dated October 16, 2019 (18 pages).
4. Project Plans: Locus Map; Site Plan prepared by VHB, Sheet C-1 entitled “Site Plan” dated May 30, 2019; Concept Plan prepared by Janovsky/Hurley Architects, Inc., Sheet A-102 entitled “Ground Floor Proposed Plan”.
5. Written request for waivers prepared by Beth Israel Medical Center, Inc. for 80-84 Wilson Way Special Permit and EIDR Application for Change in Use (1 page for Special Permit Waiver Request; 2 pages for EIDR Waiver Request).
6. Property Owner Authorization signed form from Fairlane Westwood, LLC, dated October 16, 2019.
7. Site photographs, prepared by Epsilon for 80-84 Wilson Way.
8. Staff comments for 80-84 Wilson Way.
9. Public Comment letter from Christopher Egan, President of Carruth Capital to Westwood Planning Board Chair Brian Gorman.
10. Memorandum from Philip F. Paradis, Jr. PE of BETA Group to Abigail McCabe, Town Planner, Subject: 80-84 Wilson Way Special Permit, dated November 15, 2018 [sic].
11. Memorandum from Town Planner to Planning Board Members meeting summary with recommendation for draft motions, dated November 18, 2019 revised November 19, 2019.

RECORD OF VOTE

The following members of the Planning Board voted on November 19, 2019 to **grant** EIDR and Special Permit Approval for the abovementioned project: David L. Atkins Jr., Brian D. Gorman, Christopher A. Pfaff, and Deborah J. Conant.

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



Abigail McCabe
Town Planner
November 22, 2019

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