

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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PLANNING BOARD

NOTICE OF DECISION
Reynold's Farm Senior Residential Development

TOWN CLERK
TOWN OF WESTWOOD

MINOR MODIFICATION OF
SENIOR RESIDENTIAL DEVELOPMENT SPECIAL PERMIT
EARTH MATERIAL MOVEMENT DEVELOPMENT SPECIAL PERMIT
ENVIRONMENTAL IMPACT DESIGN REVIEW APPROVAL
July 15, 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 five (5) in favor and none (0) opposed, voted to **grant** the minor modification of its January 24, 2012 decision approving the Application of Edward J. Musto for a Senior Residential Development (SRD) Special Permit pursuant to Section 8.4 [Senior Residential Development] of the Town of Westwood Zoning Bylaw, and for an Earth Material Movement (EMM) Special Permit pursuant to Section 7.1 [Earth Material Movement] of that bylaw, and for an Environmental Impact and Design Review (EIDR) Approval pursuant to Section 7.3 [Environmental Impact and Design Review] of that bylaw, which decision was previously modified by votes of the Planning Board on June 19, 2012, August 28, 2012, January 15, 2013, April 29, 2013, February 25, 2014, June 10, 2014, and December 15, 2015. Said minor modification is intended to provide Planning Board approval of the Modified Glossa Plan for execution in accordance with the terms of the Reynolds Farm Settlement Agreement dated June 14, 2019.

LAND AFFECTED: 1561 High Street
Assessor's Map 34, Lot 43
Size of Subject Property: ±3.93 acres
Description of Project: 12 Senior Residential Units

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 and Town Clerk.

The Planning Board hereby certifies that statutory requirements have been complied with pursuant to Section 9 of said Chapter 40A.

Appeals, if any, shall be made pursuant to Section 17 of said 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.

Date of Decision: July 15, 2019

Nora Loughnane
Director of Community & Economic Development
DATED: July 18, 2019

**DECISION OF THE PLANNING BOARD
Reynold's Farm Senior Residential Development**

**MINOR MODIFICATION OF
SENIOR RESIDENTIAL DEVELOPMENT SPECIAL PERMIT
EARTH MATERIAL MOVEMENT DEVELOPMENT SPECIAL PERMIT
ENVIRONMENTAL IMPACT DESIGN REVIEW APPROVAL
July 15, 2019**

APPLICANT: Edward J. Musto

PROPERTY OWNER: Canton Terrace LLC

PROPERTY LOCUS: 1561 High Street
Assessor's Map 34, Lot 43

BACKGROUND AND PROJECT SUMMARY

The Applicant proposes minor modifications to the previously granted Senior Residential Development Special Permit to construct twelve (12) senior residential units, in six (6) buildings of two (2) units each, served by an approximately four hundred and forty (440) foot long access drive with an eighty (80) foot diameter turn-around. The property is located in the Single Residence C (SRC) zoning district. The proposed senior residential development constitutes a use permitted in this district, subject to the issuance of Senior Residential Development (SRD) and Earth Material Movement (EMM) Special Permits by the Planning Board pursuant to Sections 8.4 and 7.1 of the Westwood Zoning Bylaw, and an Environmental Impact and Design Review (EIDR) Approval pursuant to Section 7.3 of that bylaw.

APPLICATION AND PLANS

The Planning Board evaluated the Application filed with the town's electronic permitting system by or on behalf of the Applicants beginning on June 21, 2019, and accepted on June 24, 2019, for minor modifications to the approved Senior Residential Development Special Permit, including the following related submissions:

1. Plan entitled "Reynold's Farm, Site Plan, Plan of Land in Westwood, MA", prepared by Glossa Engineering, Inc., 46 East Street, East Walpole, MA 02032, dated May 19, 2011, and revised through July 8, 2019, consisting of thirteen (13) sheets (hereinafter "Modified Glossa Plan").
2. Document titled "Settlement Agreement", dated June 14, 2019, consisting of twenty-one (21) pages plus Exhibits (hereinafter "Agreement").
3. All of the foregoing plans and reports are hereby incorporated by reference and made part of this Decision.

STATEMENT OF FINDINGS

After having reviewed all the plans and reports filed by the Applicant and its representatives; 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 has determined that the Application for proposed minor modification, complies with the requirements of Section 8.4 [Senior Residential Development] and other applicable sections of the Zoning Bylaw. Specifically, the Planning Board makes the following procedural findings and project findings:

PROCEDURAL FINDINGS:

4. The Planning Board is the Special Permit Granting Authority for the SRD Special Permit, the EMM Special Permit, and the EIDR Approval, pursuant to Sections 8.4, 7.1 and 7.3 of the Westwood Zoning Bylaw.
5. On January 24, 2012, the Westwood Planning Board granted a Senior Residential Development (SRD) Special Permit pursuant to Section 8.4 [Senior Residential Development] of the Town of Westwood Zoning Bylaw, an Earth Material Movement (EMM) Special Permit pursuant to Section 7.1 [Earth Material Movement] of that bylaw, and an Environmental Impact and Design Review (EIDR) Approval pursuant to Section 7.3 [Environmental Impact and Design Review] of that bylaw for the Reynolds Farm Senior Residential Development (hereinafter "Project").
6. The Planning Board subsequently approved seven (7) modifications to the SRD Special Permit, EMM Special Permit, and EIDR Approval for the Reynolds Farm Senior Residential Development on June 19, 2012, August 28, 2012, January 15, 2013, April 29, 2013, February 25, 2014, June 10, 2014, and December 15, 2015.
7. Beginning on June 21, 2019, an electronic Application was filed with the town's permitting system by or on behalf of the Applicants for an eighth (8th) modification to the approved Senior Residential Development Special Permit which was previously issued, and subsequently modified multiple times, by the Planning Board pursuant to Section 8.4, Section 7.1, and Section 7.3 of the Westwood Zoning Bylaw (hereinafter "Application").
8. The electronic Application was reviewed for completeness and accepted on June 24, 2019 for consideration by the Planning Board as a minor modification of the SRD Special Permit EMM Special Permit, and EIDR Approval for the Reynolds Farm Senior Residential Development.
9. The electronic Application was made available 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, Economic Development Officer, Fire Chief, and Police Chief.
10. The Planning Board caused notice of a public meeting to be published in *The Transcript & Bulletins*, a newspaper of general circulation in Westwood, on July 4, 2019. Notice of the public meeting was mailed postage prepaid to all Parties in Interest as defined in M.G.L. Chapter 40A, Section 11 on June 27, 2011.

11. Notice of the public hearing was posted in the Westwood Town Hall commencing on July 9, 2019, through the date of the public meeting on July 15, 2019.
12. After notice and publication was provided, the Planning Board's public meeting for consideration of the Application commenced on July 15, 2019, in the Champagne Meeting Room at 50 Carby Street, Westwood, Massachusetts.
13. Westwood Planning Board members David L. Atkins, Brian D. Gorman, Deborah J. Conant, Christopher A. Pfaff, and William F. Delay reviewed plan revisions, and deliberated on the request for an eighth modification of the board's January 24, 2012 decision at a duly authorized meeting on July 15, 2019.
14. A concurrent meeting of the Westwood Conservation Commission to consider modifications to the previously issued Order of Conditions for the Reynolds Farm Senior Residential Development was held at the same time and location as the Planning Board meeting.
15. Westwood Planning Board member David L. Atkins participated in the July 15, 2019 Planning Board meeting by telephone in full accordance with the town's Remote Participation Policy.
16. Westwood Planning Board Chairman Brian D. Gorman called for Roll Call Votes at the July 15, 2019 Planning Board meeting in accordance with requirements of the town's Remote Participation Policy.

PROJECT FINDINGS:

1. The subject property consists of approximately 3.93 acres, located at 1561 High Street and is shown as Map 34, Lot 43 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. The Applicant proposes to construct twelve (12) senior residential units, in six (6) buildings of two (2) units each, served by an approximately four hundred and forty (440) foot long access drive with an eighty (80) foot diameter turn-around.
3. The Project Site is located within the Single Residence C (SRC) zoning district. The proposed Senior Residential Development constitutes a use permitted in this district, subject to the issuance of a SRD Special Permit and an EIDR Approval by the Planning Board.
4. The Project involves the import and/or export of more than two hundred (200) cubic yards of earth material, and is permitted subject to the issuance of an EMM Special Permit by the Planning Board.
5. The Planning Board considered the Application with respect to:
 - a. Impact on the quantity and quality of available housing choices for residents fifty-five (55) years of age and older, with a range of income levels and physical abilities;
 - b. Proximity of the proposed development to public transportation, open space, neighborhood shopping and service facilities;

- c. Impact on the natural environment;
- d. Impact on vehicular and pedestrian movement and safety; and
- e. Compatibility of the proposed development with the surrounding neighborhood;

and determined that, subject to the conditions imposed herein, the adverse effects of the proposed development will not outweigh its beneficial impacts to the Town or the neighborhood.

6. The Applicant's proposed construction, subject to the conditions imposed herein, will not be contrary to the best interests of the Town.
7. The proposed plan changes are minor modifications not requiring a formal amendment because the proposed changes do not substantially change the project as originally conceived for a 12-unit Senior Residential Development, but are intended to improve the operation and development of the homes and property.

DECISION

The Planning Board evaluated the request for minor modification of its January 24, 2012 SRD Special Permit, EMM Special Permit, and EIDR Approval decision at a meeting held on July 15, 2019, and as the Special Permit Granting Authority, by a vote of five (5) in favor and none (0) opposed, the Planning Board finds that the adverse effects of the Project will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to the site, and votes to **grant** minor modification of its January 24, 2012 SRD Special Permit, EMM Special Permit, and EIDR Approval, subject to the conditions stated herein:

CONDITIONS OF APPROVAL

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

1. Except as modified by the conditions and findings hereof, the Project shall comply with the Project Plans, and with all conditions of prior approvals, including conditions not restated herein, in all respects, and the Applicant shall pursue completion of the project with reasonable diligence and continuity.
2. The Modified Glossa Plan shall be revised to remove existing fencing behind Unit #13 and to add a new white vinyl privacy screen between Units #11 and #13 to match the white vinyl privacy screens that have been installed between other pairs of units.
3. The Modified Glossa Plan shall be revised to include a notation that all construction equipment, construction materials and debris shall be removed from the property immediately upon the completion of work.
4. A copy of this Decision and the Modified Glossa Plan shall be kept on the Project Site at all times during construction.
5. The Applicant shall provide one (1) original and three (3) certified copies of an "As Built" Site Development Plan. Certification shall be by a Registered Professional

Engineer and/or Land Surveyor, as required, and shall indicate that all roadways, sidewalks, storm drains, sewer mains, water mains and their appurtenances have been constructed in accordance with said Project Plans and are accurately located as shown thereon. All detention basins shall be certified that they have been built in accordance with the approved Plans, including volume, area and location. There shall also be certification of the road centerline of finished gravel sub-base. The "As Built" plan shall be delivered to the Board in a format approved by the Information Systems Director for compatibility with the Town of Westwood GIS database.

6. Any alterations, modifications, deletions or amendments to these Special Permits and Approvals shall be done in accordance with the requirements of M.G.L. Chapter 40A § 9.

RECORD OF VOTE

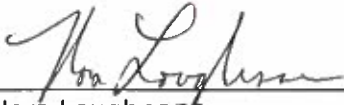
The following members of the Planning Board voted to **grant** an eighth modification of the SRD Special Permit, EMM Special Permit, and EIDR Approval issued by the Planning Board on January 24, 2012, and subsequently modified by the Planning Board on June 19, 2012, August 28, 2012, January 15, 2013, April 29, 2013, February 25, 2014, June 10, 2014, and December 15, 2015, for the abovementioned Application, subject to the Conditions stated above:

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

The following members of the Planning Board voted in opposition to an eighth modification of the SRD Special Permit, EMM Special Permit, and EIDR Approval issued by the Planning Board on January 24, 2012, and subsequently modified by the Planning Board on June 19, 2012, August 28, 2012, January 15, 2013, April 29, 2013, February 25, 2014, June 10, 2014, and December 15, 2015, for the abovementioned Application, subject to the Conditions stated above:

None.

Signed as to the accuracy of the votes:



Nora Loughnane
Director of Community & Economic Development
July 18, 2019

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TOWN CLERK
TOWN OF WESTWOOD