

**TOWN OF WESTWOOD**  
COMMONWEALTH of MASSACHUSETTS

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Christopher A. Pfaff, Secretary  
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**PLANNING BOARD**

**DECISION OF THE PLANNING BOARD**  
**Environmental Impact and Design Review for Earth Material Movement**  
**11 Stonemeadow Drive**

**APPLICANT:** Mark Joyce  
Old Grove Partners  
P.O. Box 920358  
Needham, MA 02492

**PROPERTY OWNER:** Michael Fox and Kaitlin May  
11 Stonemeadow Drive  
Westwood, MA 02090

**PROPERTY LOCUS:** 11 Stonemeadow Drive  
Westwood, MA 02090  
Assessor's Map 05, Lot 126

**BACKGROUND AND PROJECT SUMMARY**

The Applicant proposes regrading of an undeveloped lot including 683 cubic yards of earth and rock excavation and 2,493 cubic yards of fill for a net import of 1,820 cubic yards of fill. Project also requires an additional 300 cubic yards of gravel. The proposal is expected to require 115-220 truckloads to regrade the property for the construction of a new single family residence at 11 Stonemeadow Drive. The property is located in the Single Residence C (SRC) zoning district. The proposed earth material movement for import, export, and regrading of greater than 200 cubic yards is subject to Earth Material Movement (EMM) Environmental Impact and Design Review (EIDR), pursuant to Sections 7.1 and 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 January 15, 2020 an application was filed by Mark Joyce, pursuant to Section 7.1 [Earth Material Movement (EMM)] and Section 7.3 [Environmental Impact & Design Review (EIDR)] 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 *Boston Globe*, a newspaper of general circulation in Westwood, on Thursday, January 23, 2020 and again on Thursday, January 30, 2020. Notice of the public hearing was posted in the Westwood Town Hall commencing on January 21, 2020 and continuing through the opening of the public hearing on February 11, 2020. 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 January 21, 2020.

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, Historical Commission, and Pedestrian and Bicycle Safety Committee on January 17, 2020.
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 February 11, 2020 in the meeting room at the Carby Municipal Building at 50 Carby Street, Westwood, Massachusetts, 02090. The Planning Board closed the public hearing on February 11, 2020.
5. Westwood Planning Board Members Brian D. Gorman, Deborah J. Conant, David L. Atkins, Jr., William F. Delay and Christopher A. Pfaff deliberated on the Application at a duly authorized meeting on February 11, 2020.

#### **PROJECT FINDINGS:**

1. The subject property consists of approximately 87,948 SF or 2.019 acres located at 11 Stonemeadow Drive and is shown as Map 05, Lot 126 on the Westwood Board of Assessors' Map 05, Lot 126 (hereinafter "Project Site" or "Property").
2. Presently, the project site is an undeveloped parcel.
3. The Project proposes regrading of an undeveloped lot including 683 cubic yards of earth and rock excavation and 2,493 cubic yards of fill for a net import of 1,820 cubic yards of fill. Project also requires an additional 300 cubic yards of gravel associated with the construction of a new single-family residence, driveway, and subsurface infiltration system.
4. The Project Site is located within the Single Residence C (SRC) zoning district. The proposed importing of earth material greater than 200 cubic yards is subject to an Earth Material Movement (EMM) and Environmental Impact and Design Review (EIDR), pursuant to Section 7.1 and 7.3 of the Westwood Zoning Bylaw.
5. 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 7.1 and 7.3 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. On a motion made

by Mr. Pfaff and seconded by Mr. Atkins, the Planning Board voted to waive the following application requirements because these materials are not necessary for review of this project. The following waivers are hereby granted by the Planning Board:

1. Waiver of the strict requirements under Section 7.3.7.2 of the Westwood Zoning Bylaw to provide an Exterior Lighting Plan.
2. Waiver of the strict requirements under Section 7.3.7.3 of the Westwood Zoning Bylaw to provide a traffic study.
3. Waiver of the strict requirements under Section 7.3.7.4 of the Westwood Bylaw to provide a presentation model.

#### **DECISION:**

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 (EIDR) Earth Material Movement (EMM) **Approval** pursuant to Section 7.1 and 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 January 17, 2020 and as shown on the plan entitled "Lot 3B Stonemeadow Drive, Westwood, Massachusetts", prepared by Beals & Thomas, prepared for Old Grove Partners, LLC., dated December 20, 2019, subject to the Conditions stated herein, all of which are an integral part hereof:

#### **CONDITIONS OF APPROVAL:**

1. The existing pavement on Stonemeadow Drive shall be protected from damage from loading and unloading of material and/or equipment related to the proposed construction.
2. Any additional fill required from an off-site location, the Applicant shall submit to the Town Planner a certification that the fill does not contain any hazardous materials prior to importing the fill.
3. The crushed stone entrance shall be replaced when the stone becomes clogged with dirt or is no longer effective in preventing excess tracking of material onto the public way.
4. Project related construction and earth material movement shall comply with the Town's General Bylaws Chapter 292, for Noise and Construction between 7:00 a.m. and 7:00 p.m. Monday through Saturday and 12:00 p.m. to 7:00 p.m. on Sundays.
5. Applicant is responsible for contacting Dedham Westwood Water District to coordinate water service and the requested meter pit.
6. All trucks carrying earth material to or from 11 Stonemeadow Drive shall be required to access Stonemeadow Drive from the east from Summer Street via Longmeadow Drive only. All trucks shall be prohibited from travelling on the emergency connector between Stonemeadow Drive and Far Reach Road.
7. If the Project, or any Condition imposed in this Decision, requires permit, license, or other approval from any other board, committee, or agency of the Town of Westwood or other regulatory agency of the Commonwealth or the federal government, the Applicant shall make an appropriate application for the same. If any condition of such permit, license, or other approval from any other board, committee, or agency is inconsistent with this

Decision, the Applicant shall make application to the Planning Board for amendment of this Decision, and the Planning Board shall consider such application in accordance with the requirements of M.G.L. Chapter 40A § 9 and all applicable Planning Board rules and regulations.

8. 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.
9. 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 January 17, 2020. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application, narrative, photographs, earthwork calculations, waiver requests, prepared by Mark Joyce dated January 15, 2020, received by the Town Clerk and Planning Department on January 17, 2020.
2. Plan entitled "Lot 3B Stonemeadow Drive Westwood, Massachusetts", prepared by Beals and Thomas, Inc. dated December 20, 2019.
3. Staff comments from ViewPermit.
4. Memorandum from Holly Faubert and Philip F. Paradis to Todd Korchin, DPW Director, Subject: 11 Stonemeadow EMM EIDR, dated February 6, 2020.
5. Applicant response to comments from Regan E. Harrold to Chairman Brian Gorman, Subject: Response to Review Comments, dated February 10, 2020.

### **RECORD OF VOTE**

The following members of the Planning Board voted on February 11, 2020 to approve this EMM-EIDR: Brian D. Gorman, Christopher A. Pfaff, Deborah J. Conant, David L. Atkins Jr. and William F. Delay.

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



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Abigail McCabe  
Town Planner  
February 13, 2020