

Westwood Planning Board Minutes
Tuesday, January 12, 2021
7:00 pm
Via Zoom Remote Participation
Westwood, MA 02090

Pursuant to Governor Baker's March 12, 2020 Order suspending Certain Provisions of the Open Meeting Law MGL C. 30A, §18 and the Governor's March 23, 2020 Emergency Order imposing strict limitations on the number of people that may gather in one place, the January 12, 2021 Planning Board meeting was conducted via remote participation by the Board.

Call to Order:

The meeting was called to order by Chair Atkins at approximately 7:01 pm. The remote meeting was video recorded by Westwood Media Center and was available on Comcast channel 12, Verizon channel 42 and on Westwood Media's YouTube channel <https://www.youtube.com/watch?v=1fyptngDRis>. Chair Atkins explained the meeting procedures, and how the Planning Board process would work.

Present via Remote Participation:

Planning Board members present via Roll Call: David L. Atkins, Jr., Deborah J. Conant, Christopher A. Pfaff, Robert R. Gotti and Michael L. McCusker. Staff members present: Abigail McCabe Town Planner, Nora Loughnane Director of Community & Economic Development, Pat Ahearn Town Counsel and Jessica Cole, who recorded the meeting minutes.

282-296 Washington Street, Minor modification Request. Continued from 12/15/20 meeting to review final design of the window in gable facing East Street.

Applicant Giorgio Petruzzello and project architect Mike McKay were present to discuss the design item as it related to the window in the gable. Mr. McKay had two options for the Board: A French Casement window, which gives egress and light, and a more vertical option that gives more light and works well with the original design.

Board Comments:

- Are both windows the same height and width? *McKay responded that yes, both are the same size window.*
- Are you proposing the French Casement and giving us a second option? *McKay said he recommended the Option 1 of the French Casement is the better choice.*

Action Taken:

Upon a motion made by Mr. Pfaff and seconded by Mr. Gotti, the Planning Board voted in favor (5-0) via roll call to accept option 1 as requested by the developer for the window option in the gabled end of the East Street side of 282-296 Washington Street.

18-20 Southwest Park Encounter Church Limited EIDR public hearing. Request from Encounter Church for childcare/preschool use and outdoor play area on north side of building.

Applicant: Jason Hodges the Executive Pastor was present to discuss expanding the church to include a Monday-Friday Preschool, and requesting to add a playground. He addressed the space, parking, the playground and said all the EEC (Early Education & Care) guidelines were discussed and all guidelines will be met. With a staff of 7, parking spaces are not used a lot. The Preschool will do a live drop off and pick up with staff members with a max of 40 children (35-40 cars) during the week. The past approval for the shared parking is on Sundays for the church services.

Board Comments:

- Is there Handicap accessibility out to the playground? *Hodges: Did touch base on with the EEC, 2 sides are handicapped.*
- Reducing parking spaces by 4? *Correct.*
- You have an agreement for shared parking, only on Sundays? Will you still satisfy the requirements? *Yes, it does satisfy the requirement for the preschool, parking agreement is only for Sundays.*
- Events? *Have not had an event that requires additional parking, but notify neighbors if there is an event.*
- Only bollards on the corners? *They are all around the playground EEC standard of 6 feet.*
- Hours of operation? *No set hours yet, 8-4:30, with early drop off and late pick up. Still working on it.*
- Waiver for exterior lighting? *Concerned about lighting in the winter. Mr. Hodges will look at it, EEC requirement is 30 minutes in the morning, and 30 in the evening.*
- What is the plan for drop off and pick up? *Parents inside or staff meet outside? It will be staff regulated, it will be a live drop off and pick up with cones.*

- Will you surround the playground with a 6-foot privacy fence? I would suggest in the very minimum, security lights.
- Are there services during the week? *No.*
- Early drop off? And pick up? *Yes, it could be a 30-minute window to 1.5 hours, with some flexibility.*
- The bollards surrounding the playground area, will they be interlinked? Maybe think about more guard rails. *He will look into the EEC guidelines.*
- Describe the drop off plan? *Have been practicing the one-way traffic since 2017 and have preprinted one way signs.*
- Security lighting, maybe not a full exterior lighting plan. Everything should be visible.
- Helpful to look at the playground and accessibility, have the full accommodation.

Staff Comments:

- What is the exact spacing between the bollards, the plan looks like 12 feet, staff recommends spacing between 4-6 feet.
- Public Safety: Would like to see something substantial, like Jersey Barriers or bollards to stop a vehicle.
- Engineering asked for a more detailed site plan of the playground area prepared by an engineer with location of the bollards and fencing
- Building Department: Asked to see more detail on the playground and will do inspections of the playground and the facility.
- Conservation: A request for and RDA (determination of Applicability). Ms. McCabe noted that this application is in progress.

Public Comments:

Greg Susco, owner of Telamon Insurance, 22-30 Southwest Park, was present and has questions and concerns. Concerned with one way drop off and pick up, he has 50 employees, 7am-6pm. Liability concerns, parking can be challenging. U Turn at Lamberts and leaving between 4-6 getting out to Route 1 can be difficult with 40 cars and children in them. 8 buildings and lots of employees. *Mr. Hodges: Said there will not be drop off on Mr. Sysco's side of the building.*

- What is the distance from parked cars to the fence?

Chris Causey, Lead Pastor, was present, The Encounter Church has 2 different entrances, that will be utilized and 2 classes. Can minimize cars, 35 families, and will educate the families on parking and traffic flow plan.

Richard Vito, Owner of Suburban HVAC, church is an excellent partner. He is on the other side of the building. Route 1 traffic is an issue. The people dropping off kids are not always the parents, they may not be familiar with the driveway. There is a significant issue with parking. 7:30-8:30 am is their busiest time and it will be the drop off time. HVAC deliveries come via 18 wheelers, concerns with children and parents. *Pastor Causey, 35 families, we can address that it is a busy parking lot.*

Board Comments:

- We may need a reevaluation of the parking agreement. *There is not a parking agreement with Mr. Vito, only with Telamon Insurance. They don't need additional parking spots.*
- More details on the pickup and drop off.
- A traffic study may be necessary.
- No comments from the Fire Department? Concerned about the turning radius? *There were no comments from the Fire Department.*
- The Chair suggested that more detailed information is needed.
- Board is looking for some more information before being able to make a decision.

Staff Comments:

- Mr. Ahearn will talk to Mr. Korchin, DPW Director, about the pothole.
- Ms. McCabe informed the Board that this application is a Limited EIDR because the use is a protected exempt use under the state's "dover amendment" which means the Board and Town has a very limited review authority. We cannot deny the use as it can be allowed in any zoning district and does not have requirements as a full EDIR because it is only a "limited" review. The Board cannot require a full traffic study or a full exterior lighting plan.
- Ms. McCabe recommended making clear what the Board would like to see from the Applicant for the next meeting.

Recap:

Detailed Site Plan showing the bollards spacing and size.

More detailed traffic flow with consideration of the neighboring uses.
Possible lighting for the area.
Status of the pothole.
Highlight the accessibility on the plan.
Survey market and get a sense of vans trucks and propose a schedule.

Waivers:

Exterior lighting plan, traffic impact study, presentation model and storm water drainage report. Any concerns with granting the waivers?

With creating a use outside, we may need to see a proposal of lighting.

Action Taken:

Upon a motion made by Mr. Pfaff and seconded by Mr. Gotti, the Planning Board voted in favor (5-0) via roll call to continue the public hearing for 18-20 Southwest Park Encounter Church Limited EIDR to Tuesday February 2, 2021, 7:00 pm via zoom.

Discussion to review zoning amendment articles submitted to Town Meeting Warrant

1) Amendment to Temporary Structures & Uses Section 4.1.7.4 – To allow administrative approval for short term proposals.

Joe Doyle the Building Commissioner was present and explained that small businesses are often looking to do weekend/sidewalk sales. The zoning bylaw currently requires a special permit for all temporary uses but there is also something in the building code that allows the Building Commissioner to grant temporary uses for up to 180 days (6 months). The special permit process with the zoning board is about 3-4 months on average so for some uses it's not worth going through that process. Ms. McCabe discussed some proposed draft language. She suggested it would still go through a formal permitting process that would come in as a building permit application to the Building Commissioner which other staff reviews when it comes in, and a permit would ultimately be issued.

Board Comments:

- How long would this new process take? *1-2 weeks instead of 3-6 months.*
- Types of uses? Short duration/single day? Shortening the process? *Probably will not see a 6-month permit, businesses are usually looking for a short term use.*
- After 6 months what is the intention? *The intention is this will give you a window to see if it works or waiting for a special permit.*
- What would be a temporary structure? *The Building Commissioner responded a tent is often used in these types of request and is considered a structure.*
- It should be capped at 1 year.
- How much time is it saving the applicant? *3-4 months is how long the ZBA takes, this would take about two weeks to review. It would save at least 3 months.*
- Do we have a list of temporary structures allowable? *Trailer and Tent are fairly common.*
- Is there a way to tell us your review process? *It will be distributed to all departments electronically and to the Police and Fire Departments. In general, departments will make comments in the application system and they will be taken under consideration.*
- The Board recommend changing the zoning for Building Commissioner approval to be 6 months and allow up to one extension but not more than one-year total time without going to the Zoning Board.

Staff Comments:

Ms. McCabe reported that this is on the Town Meeting Warrant and she will next prepare the legal notice and will update the draft article as requested by the Board about the extension and time limit.

2) Resubmit zoning article relative to removing Fire Arms Sales and Explosives from LBB and LBA districts. This article was submitted for Annual Town Meeting 2020 but postponed due to COVID-19.

Ms. McCabe gave a brief summary of this article as a resubmission of the article that was bumped from last year's warrant due to the pandemic and reduced Town Meeting quorum requirements. This article essentially prohibits Fire Arms stores from being located in the downtown business districts but still allows them in the Industrial and Highway Business zone. This use is not the destination retail uses that generate foot traffic the town is looking for in the village centers and is better suited in the industrial zones.

3) Define and regulate various medical uses – To update definitions, create new definitions, update the zoning map for medical facilities, and update tables of uses.

Ms. McCabe discussed the proposed draft zoning and districts where they can be. She explained that this article has come up in several forms. Since last spring she established a working group to review the gaps in the zoning and recommend a new zoning article.

Mr. Gotti gave a detailed summary of the proposed draft warrant article and how the advisory panel arrived at this recommendation. The advisory group consisted of several residents some that lived near each of the effected neighborhoods and some from related backgrounds (public safety, health care, real estate). The group reviewed the existing zoning and ultimately proposed a new Medical Facilities overlay district over 2 properties in Town at 10 Longwood and 100 Lowder Brook that would allow by special permit for Hospitals & Substance Treatment Facilities and to allow Medical Centers or Clinics at University Station, and adding new definitions.

Public Comments:

Ms. Fusco: Is the Meditech facility at Louder Brook currently occupied? Ms. McCabe, yes, the building and property is in use.

Board Comments:

- Question on the definitions. When you read the Medical Center or Clinic definition and then the Office of Healthcare Professional, at the end of Healthcare Professional it says, but excluding offices within medical centers or clinics. What does that mean? *McCabe explained that this is trying to distinguish between the 2 different definitions that the Medical Centers or Clinics are a higher intensity use and more involved that solely an office use.*
- Ms. McCabe is Working on some Frequently Ask Questions to go with this article and some outreach and education.
- Because of 2 separate ARO districts will the Town have a problem with the AG's office with proposing one overlay district on only 2 properties? *Mr. Ahearn does not believe so because we are not discriminating.*
- McCabe, the districts are only 2 parcels, but fairly large parcels and Mr. Ahern added they are accessible too.

Public Comments:

Ms. Fusco, are any properties being proposed for a Drug Rehab use? Specifically noting Westwood Executive Center, 200 Lowder Brook Drive? Also, Lots of space at both 100 and 200 Lowder Brook are listed for lease. *Ms. McCabe responded that she has not been contacted and is not aware of anything.*

- 4) Housekeeping - To correct any errors in numbering or non-substantive typos that may be discovered.
Ms. McCabe has a few items.

Other Business:

Review of Meeting Minutes:

Upon a motion made by Mr. Gotti and seconded by Ms. Conant, the Planning Board voted in favor via roll call (3-0-2 abstain by Mr. Pfaff and Mr. McCusker) to approve the minutes from December 15, 2020. The minutes were adopted.

Ms. McCabe reminded Board members about the Annual Conflict of Interest and Ethics Summary and biannual online ethics training: <http://www.muniproq.eth.state.ma.us/> Once completed please submit forms to Town Clerk Dottie Powers.

Any follow up on the Open Meeting training course? *It was a condition from the complaint. Please identify when you took it and send it to Mr. Ahearn.*

493 Gay Street – Review of Zoning Board upcoming application:
Comprehensive Plan and renewable energy. If you have any comments for the ZBA for their hearing next week. Generally, when we review, look at it how it relates to the Comprehensive Plan and the Town's overall goals.

Adjournment:

Upon a motion made by Mr. Gotti and seconded by Mr. Pfaff, the Planning Board voted in favor (5-0) via roll call to adjourn at 9:40pm.

List of Documents:

Link to Documents:

http://westwoodtownma.iqm2.com/Citizens/Detail_Meeting.aspx?ID=1596

Link to the Planning Board web page

<https://www.townhall.westwood.ma.us/departments/community-economic-development/planning-division>

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| <p>282-296 Washington Street Window Options 1.5.2021 Islington Mixed Use, McKay Architects, 9/21/2020, 3 pages. Minor Modification Approval Decision 12-15-2020, Westwood Planning Board, 12/15/2020, 1 page.</p> | PDF |
| <p>18-20 Southwest Park Limited EIDR Application, Public Hearing Notice, Westwood Planning Board, 12/17/2020, 2 pages. Floor Plan, Haynes Group, 12/2/2020, 1 page. Project Narrative, From: Encounter Church, 12/16/2020, 2 pages. Parking Plan, 1 page. Waiver Requests, 1 page. Existing conditions photo, 1 page. Existing conditions photo 2, 1 page. 2017 EIDR Approval Encounter Church, Westwood Planning Board, 4/18/2017, 6 pages. BETA Review Comments 18-20-Southwest-Park-EIDR, From: BETA, To: Abigail McCabe, Karyn Flynn, Dan Hammerberg, 1/7/2021, 4 pages. Staff Comments, 1/8/2021, 1 page. Aerial Southwest Park, 1 page.</p> | PDF |
| <p>Meeting summary memo from Town Planner to Planning Board</p> | PDF |
| <p>Planning Board warrant article request for Annual Town Meeting 2021, dated December 16, 2020 Zoning Bylaw Official Zoning Map Official Fire Arms Article Draft Language 2021 Medical Use Zoning Amendment Draft Article Proposed MFOD Area Medical Use Questions from Planning Board</p> | PDF |
| <p>Meeting minutes draft 12/15/2020 Zoning Board of Appeals link to application for 493 Gay St.</p> | PDF |