

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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PLANNING BOARD

APPROVAL
ENVIRONMENTAL IMPACT AND DESIGN REVIEW (EIDR)
100 High Street

August 31, 2021

APPLICANT: Dental Arts and
Westwood Pavilion, LLC
C/O Hunneman RE Corp.
303 Congress Street
Boston, MA 02210

PROPERTY OWNER: Westwood Pavilion, LLC
C/O Hunneman RE Corp.
303 Congress Street
Boston, MA 02210

PROPERTY LOCUS: 100 High Street
Westwood, MA 02090
Assessor's Map 06, Lot 019

BACKGROUND AND PROJECT SUMMARY

The Application is for an Environmental Impact and Design Review (EIDR), pursuant to Section 7.3 of the Westwood Zoning Bylaw for the purposes of a parking expansion on the west side of the lot to accommodate the needs of the existing commercial building. Work to include constructing a new parking area to add 35 parking space in the undeveloped area in the rear of the existing commercial building located at 100 High Street also known as Assessor's Map 06, Lot 019. The project proposes a 20 ft.-wide drive aisle from the existing lot to a new lot that will accommodate 29 parking spaces and six (6) spaces are proposed along the new drive aisle. Project proposes a four (4) ft. sidewalk along the new drive, landscaping, and drainage improvements to capture and recharge stormwater runoff. Application requests waiver from Section 6.1.8 [Maximum Parking Requirements] to exceed the maximum parking requirements. The property is in the Administrative-Research-Office District (ARO) zoning district.

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 July 15, 2021, an application was filed by Westwood Pavilion, LLC pursuant to Section 7.3 [Environmental Impact and Design Review] 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 *Transcript & Bulletin*, a newspaper of general circulation in Westwood, on July 29, 2021 and August 5, 2021. Notice of the public hearing was posted in the Westwood Town Hall commencing on July 22, 2021, and continuing through the opening of the public hearing on August 17, 2021. 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 July 22, 2021.
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 July 19, 2021.
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 August 17, 2021, via Zoom Webinar and filmed live by Westwood Media Center on Westwood Media's YouTube Channel and Comcast Channel 12 and Verizon Channel 42. The public hearing was held in accordance with Governor Baker's June 16, 2021 signing of Chapter 20 of the Acts of 2021 to extend certain COVID-19 measures adopted during the State of Emergency Executive Order from March 12, 2020 Order suspending certain provisions of the Open Meeting Law MGL c. 30A §18 to allow remote participation until April 2022. The Planning Board met remotely via Zoom Webinar where public comments were offered by live time audio via Zoom and through the Question and Answer function. The opportunity for written comments to be submitted was also offered. The public hearing was opened on August 17, 2021, continued to and closed on August 31, 2021. All motions were made by a roll call vote.
5. Westwood Planning Board Members Christopher A. Pfaff, David L. Atkins, Kathleen Wynne, Ellen Larkin Rollings and Thomas P. McCusker, deliberated on the Application at a duly authorized meeting on August 17, 2021 and again on August 31, 2021.

PROJECT FINDINGS:

1. The subject property consists of approximately 1.84 acres located at 100 High Street (hereinafter "Project Site" or "Property").
2. Presently, the project site has an existing commercial building with multiple tenants including the Dental Arts. Dental Arts has worked with the property owner to submit this application.
3. The Application is for an Environmental Impact and Design Review, pursuant to Section 7.3 of the Westwood Zoning Bylaw for the purposes of parking expansion to accommodate the existing businesses and primarily the Dental Arts business. Project proposes landscaping and drainage improvements. Work to include constructing a new parking area to add 37 parking space in the undeveloped area in the rear of the existing commercial building located at 100 High Street also known as Assessor's Map 06, Lot 019. Application requests waiver from Section 6.1.8 [Maximum Parking Requirements] to exceed the maximum parking requirements.

4. The Project Site is located within the Administrative-Research-Office District (ARO) zoning district. The proposed parking expansion, site work, landscaping, and drainage improvements are subject to an Environmental Impact Design Review (EIDR), pursuant to Section 7.3 of the Westwood Zoning Bylaw and a waiver requested under Section 6.1.8 [Maximum Parking Requirements].
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 7.3.8 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 August 31, 2021, the following waivers are hereby granted by the Planning Board:

1. The Board voted to waive the strict requirement of Section 7.3.7.3 requiring a professionally traffic study because no building expansion or new use is projected with this project.
2. The Board voted to waive the requirement for submission of a presentation model under Section 7.3.7.7 of the Zoning Bylaw.
3. The Board voted to waive the requirement of Section 6.1.8 [Maximum Parking Requirements] to exceed the maximum parking requirements.
4. The Board finds the dentist practice experiences a high volume of customers. The dentist use, in addition to the other offices in the building, have experienced employees, customers, and clients parking in spaces not designated for parking inhibiting traffic circulation.
5. The Board finds that employees currently park off site at a nearby business and the parking expansion would eliminate the need for shared parking arrangement.
6. The Board finds the dentist use includes general dentistry and orthodontics has been successful and attracts more customers than the zoning requirements.
7. The Board finds the proposed parking expansion including the proposed drainage and landscape improvements will not be detrimental to the neighborhood.
8. The Board finds the Dental Arts acting as the Applicant stated that they currently have approximately 60-70 patients per day now and expects an increase as the orthodontic operation continues.

9. The presentation model is not necessary for this parking lot expansion and the traffic study is not necessary for this parking change because the use is not changing. The proposal intends to alleviate parking and site circulation for the existing uses.

DECISION:

On August 17, 2021 and then again on August 31, 2021, the Planning Board evaluated the Application in relation to the above Findings, and as the approving authority, on a roll call vote of five (5) in favor and none (0) opposed, hereby **grants** Environmental Impact and Design Review (EIDR) Approval pursuant to Section 7.3 of the Westwood Zoning Bylaw for the Project as described above and in the application therefor filed in the office of the Planning Board on July 15, 2021 and all material submitted through the close of the public hearing on August 31, 2021.

CONDITIONS OF APPROVAL:

1. Applicant shall update the plan set entitled "100 High Street, Proposed Parking Lot Improvements", prepared by Mark Beaudry of Meridian Associates, dated July 15, 2021, last revised August 26, 2021 (consisting of 4 sheets) to show:
 - o At least one bicycle rack;
 - o Two additional "No Parking" signs to be installed at the edge of pavement at the upper lot adjacent to High Street; and
 - o Adjust the planting table to show the shrubs shall be planted a minimum of 3 ft. (36 in.).
2. The required accessible signage shall be added to the head of the three (3) accessible spaces as shown on the revised plans. Signs and painting shall be replaced as necessary.
3. In addition to the six (6) new parking signs shown on the revised plans, two (2) no parking signs shall be installed along the northerly parking area not designated for parking.
4. The four trees proposed along the new parking area and the proposed shrubbery shall be planted in the first available growing season when construction permits [April 15-July 15 and September 15 - December 1]. Any plantings that do not survive shall be replaced in-kind in the first available growing season. The proposed shrubbery shall be at least three (3) feet in height at the time of planting and shall be planted to provide a full landscape screen.
5. Chemical deicers are prohibited for snow and ice removal due to the proximity of the wetland resource area. Calcium chloride, sand, or other non-sodium based equivalent are permitted.
6. The site lighting shall be turned off an hour after the close of business.
7. Applicant shall perform soil tests a minimum of 2 ft. down to verify soil assumptions prior to construction in the recharge area. A representative from the Town department of Public Works, BETA Group, and/or the Conservation Agent should be present to witness the testing. Soil tests results shall be submitted to the Town Planner prior to construction.

8. Applicant shall provide an as-built plan to the Town Planner after construction in PDF and AutoCAD format for the areas of new construction showing the new parking, drainage, curbing, landscaping, and any utilities.
9. 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.
10. Applicant is responsible for filing any other required permits such as with the Conservation Commission.
11. A copy of this Decision and Project Plans shall be kept on site 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 December 29, 2020 and all material submitted through the close of the public hearing on February 23, 2021. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Memorandum from BETA Group Dan Hammerberg and Philip Paradis, Subject: 100 High Street EIDR, dated August 27, 2021.
2. Application, project narrative & waiver requests, existing conditions photographs and project narrative, storm water analysis report submitted by Mark Beaudry, Meridian Associates, Inc.
3. Stormwater Analysis Report submitted by Mark Beaudry, Meridian Associates, Inc., dated July 15, 2021, revised on August 17, 2021 (84 pages).
4. Site plans entitled "Proposed Parking Lot Improvements Layout and Materials Plan", prepared by Meridian Associates, Inc., dated July 15, 2021, last revised August 26, 2021, consisting of 4 sheets.
5. Lighting plan entitled "Proposed Parking Lot Improvements Photometric Plan", prepared by Meridian Associates, Inc., dated July 15, 2021.
6. Earthwork Calculations email sent to Abigail McCabe from Mark Beaudry, Meridian Associates, Inc. dated, July 28, 2021
7. Staff comments from View Permit for 100 High Street, dated August 12, 2021.
8. Signed Stormwater Management Operation and Maintenance Plan, Maintenance Agreement for 100 High Street, dated August 26, 2021.
9. Stormwater O&M Emergency Contacts for 100 High Street
10. Illicit Discharge Compliance Statement, signed August 26, 2021.
11. Memorandum from Philip Paradis, to Todd Korchin, dated August 20, 2021, updated on August 27, 2021 Subject: 100 High Street EIDR Review Update.
12. Letter in response to comments from Meridian Associates to Abigail McCabe, dated August 26, 2021.
13. 100 High street – Culvert Calculations (2 sheets).
14. 100 High Street – Roof Mitigation Basin Calculations.
15. Supplemental Stormwater Calculations for 100 High Street, dated August 27, 2021, prepared by Meridian Associates.

RECORD OF VOTE

The following members of the Planning Board voted on a roll call vote on August 31, 2021 to **grant** EIDR Approval for the abovementioned Project: Christopher A. Pfaff, David L. Atkins, Kathleen Wynne, Ellen Larkin Rollings and Thomas P. McCusker.

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



Abigail McCabe
Town Planner
September 2, 2021