

**TOWN OF WESTWOOD**  
COMMONWEALTH of MASSACHUSETTS

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**PLANNING BOARD**

**APPROVAL**  
**ENVIRONMENTAL IMPACT AND DESIGN REVIEW (EIDR)**  
**911-929 High Street – Green Nectar**

**November 9, 2021**

**APPLICANT:** Vincent Michienzi  
36 Whitney Ave  
Westwood MA 02090

**PROPERTY OWNER:** Westwood Plaza LLC  
76 Mashnee Rd.  
Bourne MA 02532

**PROPERTY LOCUS:** 911-929 High Street  
Westwood, MA 02090  
Assessor's Map 21, Lot 040

**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 change of use. Applicant proposes to use the currently vacant tenant space within the plaza addressed at 913 High Street for a juice bar/coffee shop use. The ~900 sq. ft. space was previously used as a pet care facility. Applicant is proposing interior changes and minor facade improvements for a juice bar that will offer made to order juice drinks and made to order food items. The property is 911-929 High Street also known as Westwood Plaza Assessor's Map 24, Lot 040 and Lot 041. The property is in the Local Business A (LBA) zoning district.

**STATEMENT OF FINDINGS**

**PROCEDURAL FINDINGS:**

After having reviewed all the plans and reports filed by the Applicant Vincent Michienzi 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 August 19, 2021, an application was filed by 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 September 2, 2021 and September 9, 2021. Notice of the public hearing was posted in the Westwood Town Hall commencing on August 25, 2021, and continuing through the opening of the public hearing on September 21, 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 August 30, 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 August 31, 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 September 21, 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 September 21, 2021. On September 21, the Board voted to continue the hearing to November 9, 2021. On November 9, the public hearing was re-opened and the public hearing was closed on November 9, 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 September 21, 2021 and again on November 9, 2021.

#### **PROJECT FINDINGS:**

1. The subject property consists of approximately 1.5 acres located at 911-929 High Street (hereinafter "Project Site" or "Property").
2. Presently, the project site has an existing commercial building with multiple tenants. Mr. Michienzi has worked with the property owner to submit this application.
3. 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 change of use. The tenant space is currently vacant and was formerly a pet care facility. Applicant is proposing interior changes and minor facade improvements for a ~900 Sq. Ft. juice bar at 913 High Street. The property is located at 911-929 High Street also known as Westwood Plaza Assessor's Map 24, Lots 040 & 041. The property is in the Local Business A (LBA) zoning district.
4. The Project Site is located within the Local Business A (LBA) zoning district. The proposed change of use and facade improvements to an existing commercial building are subject to an Environmental Impact Design Review (EIDR), pursuant to Section 7.3 of the Westwood Zoning Bylaw.
5. The Planning Board reviewed the existing and proposed parking. After review of the parking the Board determined that no parking waiver was required pursuant to Section 6.1.12 for

existing buildings. The juice bar use is considered a “coffee shop” use requiring nine (9) parking spaces based on fifteen (15) seats, four (4) employees, with a take-out station. A total of 64 parking spaces are required for the full plaza and the parking lot contains 64 parking spaces.

6. In mid-October 2021, the property owner re-painted the 64 parking spaces and patched portion of the parking lot in the plaza.
7. 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 November 9, 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 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 strict requirement of Section 7.3.7.2 [Exterior Lighting Plan] requiring the submission of an exterior lighting plan finding this not to be necessary for this application.
4. The Board voted to waive the strict requirement for a storm drainage report including drainage calculations for runoff required by Section 7.3.7.1.6 of the Zoning Bylaw. The Board indicated a future expansion or if any relief on parking is needed in the future, drainage improvements would be required.

#### **DECISION:**

On September 21, 2021 and then again on November 9, 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 therefore filed in the office of the Planning Board on August 19, 2021 and all material submitted through the close of the public hearing on November 9, 2021.

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

1. The Applicant shall repave and re-paint the parking lot as necessary.
2. The Applicant/Property Owner shall direct employees of all businesses of the plaza to park behind the building to save spaces in front for customers.

3. The Applicant/Owner shall install two trash and recycling bins on the property.
4. The Applicant/Owner shall install at least two bicycle racks on the property in a style and location that complies with the Planning Board's Bicycle Parking Standards.

### **APPLICATION AND PLANS**

The Planning Board evaluated the Application filed by the Applicant in the Planning Office and the Office of the Town Clerk on August 31, 2021 and all material submitted through the close of the public hearing on November 9, 2021. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application, project narrative, waiver requests, and existing conditions photographs submitted by Vincent Michienzi.
2. Site plan entitled "SK-1 Green Nectar Juice Bar 911 High Street Westwood", prepared by R2 Architects, Inc. dated July 20, 2021.
3. Elevation plan entitled "A1.01 Green Nectar Juice Bar 911 High Street Westwood" prepared by R2 Architects, Inc. dated July 20, 2021.
4. Plan Cover Sheet entitled "Green Nectar Juice Bar 911 High Street Westwood" prepared by R2 Architects, Inc. dated July 20, 2021.
5. Staff comments from View Permit for 911-929 High Street, dated September 15, 2021.
6. High Street historical aerial view photographs of property.
7. Site photographs of parking area taken by staff on September 8, 2021.
8. Site photographs of parking area taken by staff in October 2021.
9. Electronic mail from Vincent Michienzi to Abigail McCabe, subject: Green Nectar Planning Board Meeting, with parking by tenant.
10. Parking Analysis prepared by Building Commissioner & Town Planner for 911-929 High Street for November 9, 2021 Continued Public Hearing.
11. Public Comment sent by Electronic Mail from Rodney Grace to Abigail McCabe, sent September 16, 2021, Subject: Notice of Public Hearing 911 High Street.
12. Public Comment sent by Electronic Mail from Beth Hahn to Abigail McCabe, sent September 1, 2021, subject: Inquiry about Agenda item 7146: Green Nectar Parking.

### **RECORD OF VOTE**

The following members of the Planning Board voted on a roll call vote on November 9, 2021 to **grant** EIDR Approval for the above mentioned 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.



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Abigail McCabe, Town Planner

November 10, 2021