

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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PLANNING BOARD

APPROVAL
ENVIRONMENTAL IMPACT AND DESIGN REVIEW (EIDR) &
EARTH MATERIAL MOVEMENT (EMM)
200 University Avenue – Dacon Corporation
November 9, 2021

APPLICANT: Jennifer Luoni
Dacon Corporation
16 Huron Drive
Natick, MA 01760

PROPERTY OWNER: SLD (Security Lock Distributors) University Station LLC
P.O. Box 95
Westwood, MA 02090

PROPERTY LOCUS: 200 University Avenue
Westwood, MA 02090
Assessor's Map 38, Lot 001

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 building renovations and site work at 200 University Avenue. Site work includes new landscaping, new subsurface storm water treatment system under the parking lot at the south and west side of the building, new roof drains, catch basins, concrete sidewalks, paving, and curbing. The building is currently vacant and is being updated to accommodate future tenants. The earth work associated with proposed improvements triggers an Earth Material Movement EIDR pursuant to Section 7.1 of the Zoning Bylaw.

An EIDR for this proposed work was approved by the Planning Board on January 29, 2019. Construction did not commence within two years and the 2019 EIDR approval expired in January 2021.

The property at 200 University Avenue, Westwood, MA 02090 is also known as Assessor's Map 38, Lot 001. The property is in the it is located in in the Industrial (I), the Water Resources Protection Overlay District (WRPOD), the Wireless Communications Overlay District (WCOD), and the Flexible Multiple Use Overlay District (FMOUD) zoning districts.

STATEMENT OF FINDINGS

PROCEDURAL FINDINGS:

After having reviewed all the plans and reports filed by the Applicant Jennifer Luoni of Dacon Corporation 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 October 7, 2021, an application was filed pursuant to Section 7.1 [Earth Material Movement] and 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 October 21, 2021 and October 28, 2021. Notice of the public hearing was posted in the Westwood Town Hall commencing on October 14, 2021, and continuing through the opening of the public hearing on November 9, 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 October 15, 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 October 18, 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 and 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 November 9, 2021.

PROJECT FINDINGS:

1. The subject property consists of approximately 1.00 acre located at 200 University Avenue (hereinafter "Project Site" or "Property").
2. Presently, the project site has an existing commercial building.
3. The Application is for an Environmental Impact and Design Review (EIDR) for exterior renovations and earth work triggered an Earth Material Movement EIDR, pursuant to Sections 7.1 and 7.3 of the Westwood Zoning Bylaw. Project proposes building renovations and site work including a new subsurface storm water treatment system under the parking lot at the south and west side of the building. Applicant also proposes new roof drains, catch basins, concrete

sidewalks, paving, and curbing located at 200 University Avenue Westwood, MA 02090 also known as Assessor's Map 38, Lot 001.

4. The property is in the Industrial (I) zoning district, the Wireless Communications Overlay District (WCOD), Water Resources Protection Overlay (WRPOD), and Flexible Multiple Use Overlay District (FMOUD) overlay zoning districts.
5. The proposed building renovations and site work are subject to an Earth Material Movement (EMM) and Environmental Impact Design Review (EIDR), pursuant to Section 7.1 and 7.3 of the Westwood Zoning Bylaw.
6. 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.

DECISION:

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** Earth Material Movement (EMM) Environmental Impact and Design Review (EIDR) Approval pursuant to Sections 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 Planning Board on October 7, 2021 and all material submitted through the close of the public hearing on November 9, 2021.

CONDITIONS OF APPROVAL:

1. The dumpster shall include a gate that shall be closed at all times and the dumpster enclosure shall be repaired as necessary. Dumpster's enclosure shall be solidly constructed of vinyl or stockade. Chain-link is not permitted.

2. Applicant shall submit detail for all proposed light fixtures to the Town Planner to confirm compliance with Section 6.4 of the Zoning Bylaw. Exterior lights, other than security lights, shall be turned off an hour after the close of business.
3. Applicant shall install a bicycle rack. The bike rack shall comply with the Planning Board's Bicycle Parking Design Guidelines.
4. Trees and associated landscape improvements shall be installed and completed prior to occupancy. If occupancy is ready during the winter months [between December 1 – April 15], Applicant shall receive a conditional approval with a condition that the plantings be completed in the next available growing season [between April 15 – June 30 and September 15 – November 30]. Owner is responsible for maintenance of the trees and plantings. Any trees that do not survive shall be replaced in-kind.
5. When the building's uses are proposed, the new tenants shall submit a written request describing the new use and space to the Building Commissioner and Town Planner to review parking requirements consistent with Section 7.3 of the Zoning Bylaw. If the proposed uses are permitted and don't require any parking relief, the Building Commissioner may consider an Administrative EIDR review for the new uses pursuant to Section 7.3.6 [Administrative EIDR].
6. Applicant shall contact the Department of Public Works (DPW) at least 48 hours in advance to have a DPW representative present during the installation and backfill of the drainage structures and systems.
7. The use of sodium chloride "rock salt" as a snow removal or de-icing agent is strictly prohibited. Only non-sodium based deicing agents are permitted in the Water Resource Protection Overlay District.
8. Applicant is responsible for contacting the Dedham Westwood Water District (DWWD) and Dig Safe.
9. Applicant shall repair any damage caused to roads or structures in the public way. 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.
10. Applicant shall contact the Police Department prior to construction to determine if a police detail is required. If the Police Department determines a detail is necessary, Applicant is responsible for paying the cost of any detail.
11. Applicant shall submit asbestos survey conducted in compliance with DEP Asbestos Regulations to the Board of Health and Building Commissioner.
12. The applicant shall use a waste hauler, licensed by the Westwood Board of Health to dispose of construction debris.
13. If necessary, the applicant shall provide a portable toilet, licensed by the Westwood Board of Health.

14. Applicant is responsible for filing any other applications or permits that may be required such as with the Conservation Agent, Board of Health, or any other board, committee, commission or regulatory agency of the Commonwealth or federal government.
15. Any fill or earth material brought to the property shall not contain any hazardous materials.
16. A copy of this decision shall be kept on site at all times during construction.

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 October 19, 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 Jenifer Luoni of Dacon Corporation.
2. Memorandum from Daniel Hammerburg and Philip Paradis of BETA Group, to Todd Korchin, DPW Director, Subject: 200 University Avenue EIDR, dated November 4, 2021.
3. Site plans entitled "Permit Site Plan 200 University Avenue", prepared by Hancock Associates dated January 9, 2021 last revision date January 25, 2021, consisting of 9 pages.
4. Full renovation plans entitled "Security Lock Dist. Renovation Re-bid set 200 University Avenue" prepared by PDA Incorporated, dated September 28, 2020 consisting of 13 pages.
5. Lighting Plan entitled "Landscape Plan and Details 200 University Avenue" prepared by Ray Dunetz Landscape Architecture, Inc. dated January 28, 2019 consisting of 4 pages
6. Stormwater Report entitled "Stormwater Report in Support of Permit Site Plans for 200 University Avenue" prepared by Hancock Associates dated January 9, 2019 consisting of 45 pages.
7. Staff comments from View Permit for 200 University Avenue, dated November 4, 2021.

RECORD OF VOTE

The following members of the Planning Board voted on a roll call vote on November 9, 2021 to **grant** Environmental Impact and Design Review (EIDR) and Earth Material Movement (EMM) 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
November 12, 2021