

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

Christopher A. Pfaff, Chair
David L. Atkins, Jr., Vice Chair
Kathleen Wynne, Secretary
Ellen Larkin Rollings
Thomas P. McCusker



Abigail McCabe, Town Planner
amccabe@townhall.westwood.ma.us
(781) 251-2581

Karyn Flynn, Land Use &
Licensing Specialist
kflynn@townhall.westwood.ma.us
(781) 767-6344

PLANNING BOARD

APPROVAL
LIMITED ENVIRONMENTAL IMPACT AND DESIGN REVIEW (EIDR)
EARTH MATERIAL MOVEMENT (EMM)
790 Gay Street – Hanlon Elementary School Building Project
December 14, 2021

APPLICANT: Westwood Public School District
220 Nahatan Street
Dedham, MA 02026

PROPERTY OWNER: Town of Westwood
580 High Street
Westwood, MA 02090

PROPERTY LOCUS: 790 Gay Street
Westwood, MA 02090
Assessor's Map 16, Lot 005
&
A portion of an undeveloped lot
behind the existing building known as
Assessor's Map 16, Lot 437

BACKGROUND AND PROJECT SUMMARY

The Applicant proposes demolition of the existing Hanlon Elementary School Building to construct a new elementary school. The project proposes new building, parking lots, access roads and walkways, a soccer field, a little league baseball field, outdoor classrooms, playground area, drainage improvements, and landscaping. Stormwater runoff will be mitigated by catch basins, manholes and pipes to capture and convey runoff to surface and subsurface infiltration and bioretention basins. The school will be serviced by municipal water and sewer.

The front portion of the property at 790 Gay Street where the fields, parking, and access roads are proposed is located in Single Residence A (SRA) and Wireless Communications Overlay District (WCOD) zoning district and the rear portion where the new building and playground area is proposed on Assessor's Map 16, Lot 437 is in the Single Resident E (SRE) zoning districts.

The proposed new elementary school is considered an exempt use under M.G.L. Chapter 40A, Section 3 and thus subject to a Limited Environmental Impact and Design Review (EIDR), pursuant to Section 7.3.3 of the Westwood Zoning Bylaw. The associated earth work includes importing over 200 cubic yards of fill and finished elevations of 5 feet or more above the surrounding undisturbed grades, which is subject to an Earth Material Movement (EMM) EIDR approval pursuant to Section 7.1 of the 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 August 20, 2021, an application was filed by Roberto Fitzgerald on behalf of Westwood Public School District, pursuant to Section 7.3.3 [Limited Environmental Impact and Design Review] and Section 7.1 [Earth Material Movement] 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 and 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 26, 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 23, 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 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. 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 October 12, 2021, on October 12 the Board voted to continue the hearing to November 30, 2021, on November 30 the Board voted to continue the hearing to December 14, 2021 without discussion. The hearing was re-opened and closed by a roll call vote on December 14, 2021.
5. Westwood Planning Board Members David L. Atkins, Jr., Christopher A. Pfaff, Kathleen Wynne, Ellen Larkin Rollings, and Thomas P. McCusker deliberated on the Application at a duly authorized meeting on September 21, 2021, October 12, 2021, November 30, 2021 continued without discussion, and then closed on December 14, 2021.

PROJECT FINDINGS:

1. The subject property consists of approximately 8.59 acres located at 790 Gay Street and is shown as Map 16 Lot 005 and the new building is on a portion of 37.46-acre undeveloped land directly behind the current school building known as Map 16, Lot 437 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property"). The new Elementary School Building and associated uses consists of ~19 acres of the 44.2 acres of the two parcels.
2. Presently, the project site at 790 Gay Street contains the Hanlon Elementary School building, parking, access roads, sidewalks, ballfield, playground area, and basketball court. The Town own lot in the rear is undeveloped and commonly referred to as the Shuttleworth property.
3. The Applicant proposes demolition of the existing school building to construct a new elementary school. The project proposes new building, parking lots, access roads and walkways, a soccer field, a little league baseball field, outdoor classrooms, playground area, drainage, and landscaping.
4. The front portion of the property at 790 Gay Street is located in Single Residence A (SRA) and Wireless Communication Overlay District (WCOD) and the rear portion is located in the Single Resident E (SRE) zoning districts. The proposed new elementary school is considered an exempt use under M.G.L. Chapter 40A, Section 3, of the Zoning Bylaw and subject to a Limited Environmental Impact and Design Review (EIDR), pursuant to Section 7.3.3 of the Westwood Zoning Bylaw. The associated earth work includes importing over 200 cubic yards of fill and finished elevations of 5 feet or more above the surrounding undisturbed grades, which is subject to an Earth Material Movement (EMM) EIDR approval pursuant to Section 7.1 of the 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 7.3.8 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 December 14, 2021, the following waivers are hereby granted by the Planning Board:

1. The Board waived the application filing fee required by Section 4.0 [Project Fees] of the Planning Board's Environmental Impact & Design Review (EIDR) Rules and Regulations. The Board find's this waiver request since the Applicant is the Westwood School Department.
2. The Board voted to waive the requirement for submission of a presentation model under Section 7.3.7.7 of the Zoning Bylaw. The submitted drawings, renderings, and video display provided are adequate to visualize the proposed project.

DECISION:

On December 14, 2021, 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 on a roll call vote, hereby **grants** Limited Environmental Impact and Design Review (EIDR) and Earth Material Movement 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 and the Town Clerk on August 23, 2021 and all material submitted through the close of the public hearing on December 14, 2021, subject to the Conditions stated herein, all of which are an integral part hereof:

CONDITIONS OF APPROVAL:

1. Except as modified by the Conditions and Findings hereof, the Project shall comply with the Project Plans in all respects and the Applicant shall pursue completion of the Project with reasonable diligence and continuity.
2. The Applicant shall submit an Approval Not Required (ANR) Plan to combine the Town's 37.46-acre parcel known as the Shuttleworth Property (Assessor's Map 16, Lot 437) with the School District's 8.59-acre property at 790 Gay Street known as the Paul R. Hanlon Elementary School (Assessor's Map 16, Lot 5), in order to create a single 46.05-acre parcel with 996.08' of frontage on Gay Street. Said ANR Plan shall clearly delineate the area of said parcel which will remain under the care, custody and control of the Select Board and the area which will be placed under care, custody and control of the School Committee, consistent with the delineation shown on the draft plan titled "Overall Site Plan", Sheet Number L0.01, prepared by Dore & Whittier, and submitted by email to Town Planner Abigail McCabe on dated December 13, 2021. Said ANR Plan shall be submitted to the Planning Board for endorsement prior to issuance of any building permits for the Elementary School Project.
3. The revised civil site plans (14 sheets), prepared by Dore and Whittier, entitled "Westwood Hanlon Elementary School" shall be further revised to provide the following and shall be submitted to the Town Planner, BETA Group, and Conservation Agent for review and approval:
 - a) Provide zoning table (GS in BETA's December 9, 2021 review memorandum).
 - b) Add note that no hazardous material shall be used on site (BETA memo G5)
 - c) Include the construction hours (Condition#11 below).
 - d) Revise outfall 3 and Bioretention Basin 2 per BETA Memo SW3.
 - e) Provide detail for proposed curb inlet discharging to Bioretention B-1 and BMP treatment (Comment SW6).
 - f) Relocate level barrier to be downstream (SW7).
 - g) Revise invert elevations for Pond B-2 (SW26).
 - h) Update sheet C-2 side stone detail (SW28).
 - i) Show the test pit locations on the plan (SW33).
4. Applicant shall continue to designate Gay Street as a School Zone under State and local statute and install the appropriate School Zone signs.
5. Applicant shall submit a final signed SWPPP (Stormwater Pollution Prevention Plan) to the Town Planner, Conservation Agent, and BETA Group for review and approval before any land disturbance begins.
6. Applicant shall provide a final construction sequencing plan to the Town Planner, BETA Group, Public Works Director, and Building Commissioner for review and approval prior to any site work beginning.

7. The revised landscape plan submitted on December 6, 2021 entitled "Hanlon Elementary School, 790 Gay Street", prepared by Dore & Whittier Architects, Inc. shall be revised to include the following changes and annotations and submitted to the Planning Board:
 - Update plan set to include revision date.
8. All accessible detectable warning surface pads shall be yellow to be consistent with other locations in town.
9. The existing pavement on Gay Street shall be protected from damage from loading and unloading of material and/or equipment related to the proposed construction.
10. 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.
11. Project-related construction and earth material movement shall comply with the Town's General Bylaws Chapter 292, for Noise and Construction, and such work shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Saturday and between 12:00 p.m. and 7:00 p.m. on Sundays.
12. All fill imported to the project site shall be clean and not contain any hazardous materials. Prior to bringing any fill on the premises, Applicant shall submit certification from a soil testing company or company supplying the fill confirming that soil contains no hazardous materials.
13. Construction vehicles and trucks carrying earth/fill to and from the project site shall access the Project from Gay Street via Route 1A/Washington Street or High Street/Route 109 only and shall not travel down other neighborhood roads. Construction vehicles are prohibited from traveling down Fox Hill Street, Milk Street, Pine Lane, Croft Regis Road, Schaefer Avenue, and School Street.
14. Exterior lights other than security lighting shall be turned off one (1) hour after activity or use ends.
15. The school department shall provide personnel at the onsite crosswalks as needed for student safety.
16. The dumpster gates shall remain closed at all times and the enclosure shall be continuously maintained in good condition. The dumpster shall be located on a concrete pad and comply with Westwood Board of Health Regulations.
17. All landscaping shall be installed prior to issuance of a Certificate of Occupancy, except that, if the building is otherwise ready for occupancy after mid-November and prior to mid-April, the Applicant may be issued a conditional Certificate of Occupancy upon the establishment of adequate surety to cover the cost of materials and installation of plantings in the next available growing season. Any plantings that do not survive shall be replaced in-kind.
18. A final As-Built Plan shall be submitted in PDF and AutoCAD format to the Town Planner prior the issuance of a Certificate of Occupancy. The As-Built Plan shall show all structures, parking spaces, any easements, walkways, landscaping, drainage, underground utilities, landscaping, pavement markings, site features, and utilities.
19. 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. For example, Applicant is responsible for filing with the Conservation Commission and a blasting permit from the Fire Department. 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.

20. This EIDR Approval shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within two (2) years following the grant thereof. The Planning Board may extend such approval, for good cause, upon the written request of the Applicant. In the case of the EIDR Approval, the term "substantial use thereof or construction thereunder" shall mean the commencement and substantial progress of the approved activity.
21. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.
22. Any alterations, modifications, deletions or changes to the EIDR Approval shall be requested in writing to the Town Planner prior to implementation. Changes considered de minimis by the Building Commissioner may be accepted as a note to the file, changes considered minor by the Building Commissioner pursuant to Section 7.3 of the Zoning Bylaw may be required to file an Administrative EIDR pursuant to Section 7.3.6 of the Zoning Bylaw or return to the Planning Board as a request for a Minor Modification at a publically posted Planning Board meeting. Alterations determined to be major by the Building Commissioner or the Planning Board, shall return to the Planning Board as a formal request for Amendment and will require a new public hearing with the Planning Board.

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 August 23, 2021 through the close of the public hearing on December 14, 2021. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application, Existing Conditions photographs, project description, waiver requests and Earthwork summary and exterior renderings submitted by Robert Fitzgerald of Dore and Whittier Architects on August 20, 2020.
2. Earth Material Movement Summary prepared by Dore and Whittier Architects dated August 23, 2021
3. Earthwork Cut Fill Analysis prepared by Nitsch Engineering, dated July 15, 2021.
4. Exterior Lighting Cut Sheets prepared by Dore and Whittier Architects, dated August 31, 2021.
5. Sustainability Summary prepared by Dore and Whittier Architects, dated September 10, 2021.
6. Fire Protection Plan entitled "FP1.13 Level 1 Area C Fire Protection Plan" prepared by Dore and Whittier Architects dated August 9, 2021.

7. Exterior Elevations entitled "Westwood Hanlon Elementary School" prepared by Dore and Whittier Architects consisting of 6 pages, dated August 9, 2021.
8. Landscape plans entitled "Hanlon Elementary School" prepared by Deborah Myers Landscape Architects dated August 19, 2021 consisting of 17 pages and last revised on September 10, 21, consisting of 21 pages.
9. Photometric Plan entitled "Westwood Hanlon Elementary School" prepared by GGD Consulting Engineering, Inc. dated August 30, 2021
10. Site Survey Plan entitled "Westwood Hanlon Elementary School" prepared by Nitsch Engineering dated May 25, 2021 consisting of 3 pages.
11. Stamped Civil Plans entitled "Westwood Hanlon School prepared by Nitsch Engineering and dated July 2, 2021, revised December 1, 2021, and last revised December 14, 2021 consisting of 14 pages.
12. Stormwater Plans entitled "Westwood Hanlon Elementary School" dated July 2, 2021 last revised December 1, 2021 consisting of 14 pages.
13. Stormwater Report entitled "Stormwater Report Paul R. Hanlon Elementary School" dated August 19, 2021 and last revised December 2, 2021.
14. Test Pit Memo entitled "Supplemental Geotechnical Test Pit Memorandum Westwood Hanlon elementary School Westwood, MA" prepared by Sanborn Head & Associates, Inc. dated July 2, 2021.
15. Traffic Study entitled "Transportation Impact Study Paul Hanlon Elementary School" dated December 10, 2020
16. Hanlon Traffic Diagram entitled "Overall Site Plan" prepared by Dore and Whittier Architects dated September 10, 2021.
17. Updated Subsurface Evaluation for Stormwater for Hanlon Elementary School prepared by Sanborn Head & Associates, Inc. dated November 17, 2021.
18. Staff Review Comments from View Permit through September 15, 2021 and Staff Review Comments II from View Permit dated October 12, 2021.
19. Memorandum from BETA Group Dan Hammerberg, Philip Paradis, Subject: Environmental Impact Design Review 790 Gay Street, dated September 16, 2019 *[sic]*.
20. Memorandum from BETTA Group Philip Paradis, Dan Hammerberg, and Dennis Flynn, re: 790 Gay Street Environmental Impact and Design Review Update, dated December 9, 2021 (16 pages).
21. Draft ANR Plan entitled "Site Plan Westwood Hanlon Elementary School", Project Number 19-0798, prepared by Dore & Whittier, submitted on December 13, 2021 showing property lines and Care and Custody Control Boundary lines.
22. Key sheet update plan entitled "Overall Site Plan" sheet L0.01 prepared by Dore & Whittier for Hanlon Elementary School".

23. Response to BETA comments from Nitsch Engineering dated December 14, 2021.

24. Updated SSA Model project number 13759-SSA.SPF (6 pages).

RECORD OF VOTE

The following members of the Planning Board voted on December 14, 2021 to grant Limited EIDR and EMM Approval for the abovementioned Project: David L. Atkins, Ellen Larkin Rollings, Thomas P. McCusker, Kathleen Wynne, and Christopher A. Pfaff.

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



Abigail McCabe
Town Planner
December 21, 2021