

**Westwood Planning Board Minutes**  
**Tuesday December 14, 2021**  
**7:00 pm**  
**Via Zoom Remote Participation**  
**Westwood, MA 02090**

Pursuant to Chapter 20 of the Acts of 2021, On June 16, 2021, Governor Baker signed into law An Act Extending Certain COVID-19 Measures Adopted during the State of Emergency. This Act includes an extension, until April 1, 2022, of the remote meeting provisions of his March 12, 2020, Executive Order. The December 14, 2021 Planning Board meeting was conducted via remote participation by the Board.

**Call to Order:**

The meeting was called to order by Chair Pfaff at approximately 7:00 pm. The Chair announced that 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 available for viewing here: <https://www.youtube.com/watch?v=qtBR4Jd3mrw> Chair Pfaff explained the meeting procedures, and how the Planning Board public participation process works.

**Present via Remote Participation:**

Planning Board members present via roll call: Christopher A. Pfaff, David L. Atkins, Jr., Ellen Larkin Rollings, Kathleen Wynne, and Thomas P. McCusker. Record of the vote: Atkins – aye, McCusker – aye, Pfaff – aye, Rollings – aye, Wynne – aye. 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.

**Elementary School Building Project at Hanlon School Site 790 Gay St.-Limited EIDR (EMM)- Public Hearing** (continued from September 21, October 12, & November 30). Proposal to demolish the existing school & construct new building, parking, access roads and walkways, soccer field, baseball field, outdoor classrooms, and playground area. Proposal includes earth material movement for site work. The hearing was continued to further review stormwater and drainage details after soil test sampling.

The Project Team was present; the Project Manager Roberto Fitzgerald gave a summary to the Board. Mr. Fitzgerald spoke for the team and walked the Planning Board through the updates, which focused mostly only stormwater information and responses to BETA's review comments after the soil tests pits were performed in the field in October. They have increased the size of the soccer field, relocated natural landscaping which provides a natural buffer and adjusted the fencing. He discussed the stormwater updates, submitted a preliminary ANR plan for Town Select Board property vs School property showing the care and custody lines, the proposed boundaries make sense to the Town combining into one lot.

**Board Comments:**

- Ms. McCabe, the main reason to continue this hearing was to discuss the drainage after soil tests pits could be performed in late October/early November. BETA provided an update after the drainage information was submitted.
- Dan Hammerberg, from BETA Group was present to discuss the previous comments and he explained that in their latest review letter, all looks good with minor comments and that Ms. McCabe incorporated into her draft conditions of approval.
- No new traffic or landscaping comments.
- Ms. McCabe the ANR is not yet ready to be formally acted upon yet but a preliminary has been submitted. The ANR should be submitted prior to issuance of a building permit.
- Ms. McCabe pointed out a concern about the fencing proposed as chain-link in the back around the playground area. The Zoning Bylaw states a solid fence, but the project team is proposing a chain link fence. *Mr. Fitzgerald replied: In terms of screening, planting additional trees and will keep existing landscaping. With all of the natural landscaping he feels the fence is okay. It is just a boundary for the students, the school feels it wants clear visibility into the woods. Along with additional shrubbery along the fire access path.*
- What is the total linear outline of the fence? *Mr. Fitzgerald showed on the map.*
- Reason of the bylaw is for screening? *Ms. McCabe: Yes, screening for abutters on Laura Lane.*
- The fence sounds reasonable, having visibility around the school. Other board members were in agreement.
- No detriments to allowing it. All Board members thought it made sense to have the chain link and did not require a revision to the type of fencing.
- What kind of landscaping? *Deb: Evergreens will be planted, usually 8-10 feet tall. Some spruce, Fir. 8-10 foot trees will enhance the landscaping. Will start at 8-10 and mature to 50 feet tall.*
- It will be a while to buffer 2nd story bedrooms.

Chair Pfaff opened the public hearing up to public comments, asking people to raise their zoom hand to be unmuted.

Public Comments: There were none.

Ms. McCabe stated there were two waivers needed for the application filing fee and the presentation model.

*Action Taken:*

Upon a motion made by Mr. Atkins and seconded by Ms. Wynne, the Planning Board voted 5-0 in favor via roll call vote to approve the requested waiver for the application filing fee. Record of the vote: Atkins – aye, McCusker – aye, Pfaff – aye, Rollings – aye, Wynne – aye.

Upon a motion made by Ms. Rollings and seconded by Ms. Wynne, the Planning Board voted 5-0 in favor via roll call vote to waive the presentation model because the visuals presented are adequate to visualize the project. Record of the vote: Atkins – aye, McCusker – aye, Pfaff – aye, Rollings – aye, Wynne – aye.

Conditions of Approval

Ms. McCabe and Mr. Pfaff summarized the 23 suggested conditions of approval for the Limited EIDR and Earth Material Movement and displayed them on the screen.

*Action Taken:*

Upon a motion made by Mr. Atkins and seconded by Ms. Rollings, the Planning Board voted 5-0 in favor via roll call vote to approve the Limited EIDR and Earth Material Movement for the Halon Elementary School project at 790 Gay Street with the conditions outlined this evening. Record of the vote: Atkins – aye, McCusker – aye, Pfaff – aye, Rollings – aye, Wynne – aye.

Further Discussion: Add additional streets to be added to the list of streets construction vehicles should not travel down: Milk, Thatcher, Shaffer, Pine and Croft Regis.

Upon a motion made by Mr. Atkins and seconded by Ms. Rollings, the Planning Board voted 5-0 in favor via roll call vote to close the Public Hearing. Record of the vote: Atkins – aye, McCusker – aye, Pfaff – aye, Rollings – aye, Wynne – aye.

**20 Wildwood Drive** – EMM-EIDR Public Hearing. Applicant proposes a patio in backyard with site work that will result in slopes greater than 15% and finished grades greater than 5 ft. from surrounding elevations.

Ms. McCabe gave a summary of the project for earth movement associated with rear yard work for a new patio. Homeowner Litao Chen was present to introduce the plan. Mr. Chen explained they want to flatten the yard. They will break a boulder to fill in the slope, add a patio and add a retaining wall.

Staff Comments:

- The Application was in front of the Conservation Commission and it has been continued to their January 12 meeting.
- BETA asked for more details of the slope and the wall done by a professional engineer.
- The hearing should be continued to the January meeting.

Board Comments:

Agreed an engineer should review to confirm the that slope and wall is stable.

The Applicant Mr. Chen had comments & questions for the board:

- The project was done by a Land Surveyor.
- BETA's request was a revised plan from an engineer who can sign off on the slope.
- Mr. Chen showed us the details of his 3-foot retaining wall. Ms. McCabe will follow up with BETA.
- Bringing in any fill? *Mr. Chen: Yes, loam.* Can the vendor supply the certification? *Ms. McCabe, yes.*
- Engineering detail requirements is the big part.

Board Comments:

- Stamped Certification from a certified engineer?
- BETA wants details; more than the land surveyors stamp. We need to know that the project is safe. An engineer must certify the plan. Mr. Chen will find an engineer.

Chair Pfaff opened the hearing up to public comments by asking people to raise their Zoom hand to be unmuted.

Public Comments:

Mr. J Levin, 8 Wildwood Drive, was present. Ledge removal is jackhammering. Within the past few weeks he had ledge removed, did test holes last summer, and was told not to jackhammer. He is concerned about the approach and what equipment will be needed. The leftover rock should not be used as fill and worries about water runoff. Concerned about the ledge and water flow and the slope. Concerned that the rock will roll into the wetland area. How long it will take and what it will do to the neighboring properties.

Mr. Pfaff: Any other approaches? Mr. Chen responded that he was recommended using a jackhammer over blasting to remove the ledge and exposed rock.

Mr. P. Greeley: 30 Wildwood Drive, was present. Concerns are the ledge, need to use dynamite. He has a shed 20 feet away and his house is not much farther away. How will this affect his property with water. Hope we will not cut down trees.

Mr. Chen responded that they are proposing to remove four (4) trees total.

Mr. Pfaff recommended a survey or at least neighbors taking a video or pictures prior to work starting for evidence.

Mr. J. Levin: Trying to understand, water at my property which is below Mr. Chen's property. Mr. Chen responded that the plan is a slope to the wetland.

Board Comments:

- A member asked if Planning Board can get feedback prior to our meeting from the Conservation Commission? *They will meet on January 12th. Mr. Ahearn added that you could have a conversation with the Conservation Agent to get comments and learn about their site visit.*

*Action Taken:*

Upon a motion made by Ms. Rollings and seconded by Mr. Atkins, the Planning Board voted 5-0 in favor via roll call vote to continue the EMM public hearing for 20 Wildwood Drive to Tuesday January 11 at 7:00 pm on zoom to allow time for plan revisions. Record of the vote: Atkins – aye, McCusker – aye, Pfaff – aye, Rollings – aye, Wynne – aye.

**78 Fox Hill Street Approval Not Required (ANR) Plan (Assessor's Map 09, Lot 094) to create a new lot in the SRE zone.**

Mr. McCusker recused himself from this ANR on advice from Town Counsel and left the meeting.

Chair Pfaff called Associate Planning Board member Steve Olanoff to serve on this ANR Plan as a full voting Board member since one member is recusing and Ms. Wynne may have to leave early before the vote but she will be here as long as she can.

Ms. McCabe gave a summary of the ANR Plan stating that it has been revised to show the two lots proposed lot A and B with 175 ft. of frontage shown on the right-of-way. The proposal is to create a second lot with frontage on the right of way. The applicant has a new ANR plan which now has 175 feet of frontage for both proposed lots, revised since the November 9 meeting submission. The Applicant is requesting the Planning Board's determination of the existing Right of Way to be considered a "Way" that was in existence prior to Westwood adopting the Subdivision control law in 1940 and also the suitability for access on the right of way.

The Applicant, Matthew Smith was present and gave a history of the property. He had historical documents, maps and photographs. The Reference Plan of 1930 is the most important document. Mr. Smith explained the right of way currently serves 3 parcels: 32 Farm Lane, 78 Fox Hill and 86 Fox Hill. It meets the States criteria of a Right of Way, that has 2 or more abutters with deeded access to the Way. The Right of Way predates 1940. Mr. Smith had a professional engineer review the right of way and provided a letter in the Board's packet. The grade is 3% and it is 20-foot wide with gravel way, which provides adequate access. A letter from the Westwood fire department was also provided to the Board stating that access from the fire department was sufficient.

Town Counsel Mr. Ahearn reiterated that it is up to the Planning Board's determination on the way.

Chair Pfaff stated that this is not at public hearing but he would like to give the abutters a chance to speak and noted that the board received in their packet a letter of opposition from the abutter's attorney Mr. Krumsiek.

Mr. David Krumsiek, attorney for the residents of 32 Farm Lane was present. Attorney Krumsiek explained that the entire swath of land, what is now Fox Hill Street, Pleasant Valley and Farm Lane was 125 acres of land, The Fox Hill Farm was acquired by the Meyers Family. A second smaller lot, was a portion of the Rogers property. The 1930 plan shows a right of way when it was not owned by the Meyers Family. Attorney Krumsiek said this right of way is not and was not intended to be a street, rather, it is for the benefit of 32 Farm Lane property right. The right of way is beneficial to the predecessors of 32 Farm Way. He does not believe the applicant can use the right of way as frontage.

Comments:

- Mr. Atkins: The Right of Way is a property interest of 32 Farm Lane. What if they abandoned the easement? Gave up the property right? *Mr. Krumsiek: They don't want to abandon it, it is a secondary access to their property, but they can abandon it.*
- Mr. Lanza, Mr. Smith's attorney was present. Mr. Lanza said that nothing in the Rogers' deed says it has exclusive use of the right of way, it is a secondary access that the applicant recognizes. Mr. Lanza added that language pertaining to rights of ways and easements can be a complex legal matter.
- Dealing with an ANR plan and the board is being asked about the way being suitable for access to the new lots and the right of way in existences for many years prior to subdivision control law.

Board Comments & Further Discussion:

- Did research on Easements and Right of Way. Is Right of Way a type of easement? *Mr. Ahearn: Yes, a Right of Way is a type of easement. However, agrees with Mr. Lanza, this is a very complicated matter. Does it have adequate width, grades, access and is it constructed properly, and is there significant documentation to show that this is a Right of Way. If there is not adequate information you can refer to the ZBA for determination.*
- Is it a necessity that this Right of Way existed prior to the adoption of the Subdivision control law in 1940? *Mr. Ahearn believes that it is and the map from 1930 shows something. Merger deals with individual property rights not with information on maps.*
- A board member rode bike down the right of way, others drove by.
- Mr. Campbell Rogers, the abutter: Had a few comments and stated that there are inaccurate comments from the applicant. This is a primary access. The trucks have been leaving late. And he read a letter from Mr. Smith on 11/1: Mr. Smith, read a letter...the trucks cannot both pass. Fire Trucks used Mr. Rogers driveway.
- Mr. Smith: Subdivision Control Law: Sufficient width, suitable grade and adequate construction, and it existed. Review the existing Way.

Board Comments:

- Are we limited to just Grade, Width and Construction?
- Town Counsel responded that the Board should first determine that there is a "way" there prior to 1940 when Westwood adopted Subdivision Control Law, then the Board should go further into the assessment of the standard of the right of way's suitability for access.
- Was there a Way in existence?
- Adequate access in Construction.
- The map says ROW and Right of Way.
- Mr. Ahearn noted that Ms. McCabe prepared two draft motions for the board to consider and they were displayed on the screen. From the evidence you have heard the Board should make a determination.

At 9:00 pm, Ms. Wynne had to leave the Planning Board Meeting.

*Action Taken:*

Upon a motion made by Mr. Olanoff and seconded by Mr. Atkins, the Planning Board voted 3-0-1 in favor via roll call vote to endorse the submitted ANR Plan for 78 Fox Hill Street pursuant to M.G.L Chapter 41, Section 81L. The Board finds the Applicant has demonstrated that the existing right-of-way is a way that was in existence prior to 1940 when Westwood adopted Subdivision Control Law. The Board further finds the right of way is suitable and adequate to safely access proposed lot A and B, pursuant to M.G.L Chapter 41, Section 81L.

Further Discussion:

- Does it provide adequate access?
- Can vehicles get down it?
- It is a decent road, and the width is adequate. Seemed wide and level enough.

Record of the vote: Atkins – aye, Pfaff – aye, Olanoff – aye, Rollings - abstained

The motion to approve passed. The three Planning Board members need to sign the ANR Plan.

Thank you to Mr. Olanoff for filling in.

Mr. McCusker rejoined the meeting at 9:21 pm.

**Zoning Amendment Public Work Session.** The Board will review a list of zoning amendment warrant articles to submit to the Select Board for consideration at the Annual Town Meeting scheduled for May 2, 2022. The discussion will focus on, but is not limited to, the following zoning amendment topics.

Ms. McCabe gave a brief summary on submitting articles to the Select Board informing the Board that the Town Meeting warrant has opened and will close in early January. This is typically when the Planning Board will submit a list of articles. Right now the Board submits a list of placeholders to be considered for the warrant, and the Planning Board's public hearings will begin in February. Ms. McCabe prepared a draft list of articles and the draft of the Zoning Bylaw for the Multi-Family MBTA Communities requirement.

To follow up from recent meetings a draft zoning bylaw with the text and details was prepared in the Board's packet for the three (3) overlay district locations that the Planning Board is interested in to allow the multi-family housing:

Pulte condos at University, 120 & 130 University Avenue;  
Gables Residential 85-91 University Avenue at University Station; and  
Tumble bus property on Everett Street, 22 Everett Street.

Staff and Board Comments:

- Adding an overlay district to the map. Total acreage is ~16 acres.
- Ms. McCabe went through the current draft and recommends the Board vote tonight to submit an advisory opinion draft to the state.
- Mr. Ahearn believes it is useful to get feedback for the State.
- A board member suggested considering the properties on Washington Street, they have not been developed and it may encourage something.
- Members like the idea of submitting a draft and getting an opinion back from the State.
- Comment on the parking: 2-3 bedrooms, will there be enough parking? 1.25 may not be enough, how about 1.5? This is suggested minimum but the board could increase this minimum.
- What is the parking situation at Pulte condos? *Ms. McCabe: 1 per unit in a garage. And overflow surface parking, 1.5 parking per unit.*
- Have we seen any parking problems? *Ms. McCabe, not that she is aware of. Gables did in the beginning when they were still under construction. Ms. Loughnane further explained that the apartments at the Gables were selling parking space in the beginning when first opened and to avoid paying for additional parking spaces residents were parking in the retail space. It was stopped and has not heard of any issues since. She is not aware of any parking issues in Town. Standards in the Bylaws would be the minimum the Planning Board would need to see in order to approve a project.*
- Is 1.25 Typical formula for parking spaces? *Ms. Loughnane: Typically requires 2 parking spaces per single family home and 1.5 spaces for an apartment or condo. This first draft was less because the idea is that they will be closer to the train, and less demand for cars.*
- Meant to encourage mass transit, but not convinced that it will happen with 3 bedroom units.
- Highland Glen, what is it? *Ms. Loughnane: Majority of 1 bedroom, but some 2 bedrooms.*
- Ms. Loughnane: No multi-family 3 bedrooms in town. We have single family homes, 3 family homes and multifamily complexes.

Public Comments:

Chair Pfaff read the comments Ms. Conant typed in the Q & A: In regards to the MBTA by right zoning, there has been a great deal of ambiguity with this zoning requirement. Has the board been proactive and received any outside council advice? There have been numerous towns, including Lincoln, Medway, Dedham, who sought outside council because of how ambiguous this law is. Dedham and Medway sought advice from KP Law. It would seem it would behoove Westwood to seek outside advice as well.

Town Counsel Mr. Ahearn responded that we have not and he doesn't believe we need to seek outside Counsel at this point in time because this is a brand new law, no formal guidance from the state has come out yet and there is no precedent. In the future, he feels we need outside Council he will seek it.

Mr. Olanoff, 52 Glandore Road, recommended the Planning Board include the Washington Street parcels south of Roche Bros in the new overlay district. He believes this will help encourage mixed use.

Gables is 4 stories with parking underneath. 36 feet is the height on Washington Street under FMUOD. How do you feel about different heights on Washington St vs University Ave? *Ms. McCabe: We could update the table. Limit the height on Washington Street.*  
Foster Block, 45 feet maximum, Washington Street could be a smaller height than on Everett Street.

Chair Pfaff read the questions Ms. Fusco typed in Q & A:

- When will a completed traffic study be done "before" its voted on by PB and goes to Fin Com?
- Are any towns in compliance currently?
- Is it your opinion that once the state gives guidance that every MBTA community has to put forth zoning changes immediately or they lose grant \$?
- How many kids does Nora think 100 units would have?
- Is it your opinion that if we do not zone this that a developer can then by pass our zoning and put it anywhere? If so, what is the law backing this?

Board members and staff responded to the questions. Ms. McCabe explained right now they are proposing zoning, if the zoning is in place and a project then comes forward a traffic study is then submitted as part of the project application process.

Ms. McCabe said that this new law impacts 175 communities and some Towns could already be in compliance. Rockport has adopted zoning around their MBTA stations.

Ms. Loughnane responded that the consequences for non-compliance won't likely be immediate because municipalities have been given a reprieve until the guidelines are finalized, ineligibility for grants will not likely be happening in the coming year.

Ms. Loughnane responded that we don't know how many school children may come out of any future projects because no projects are proposed right now. The Gables apartments was estimated to have 55-63 and we have fewer than that. The projected estimate for Pulte condos was 12 and we are nowhere near that.

If we do not zone, can a developer come in? Mr. Ahearn responded that right now there is no case law backing since there is no precedent with this new law. However, if we don't do anything we are possibly leaving ourselves open to a zoning challenge.

Chair Pfaff read Ms. Conant's comments typed in Q & A: KP Law told Lincoln that because the law includes a consequence they do not believe a developer could try and do whatever they want in communities who are not in compliance. KP attorney's legal opinion was because the law contains "shall" it's not a "must" and the specific consequences are outlined. The consequence is no access to grants. Lincoln PB specifically asked that question.

Mr. Ahearn responded that a community would have to defend themselves in court and make a case for a court to decide, and the town could lose grant money.

Ms. Galkowski typed in chat: Will the solar bylaw be tabled again? Ms. McCabe: Yes, it will be discussed.

Board Comments:

- Add the Washington Street properties with a height restriction of 2 stories.
- Ms. Loughnane: You could label multiple Districts all with different requirements.
- Vote to send our draft to the State for the State's opinion.
- Board members commented on our efforts to make a reasonable effort to comply with what we think they want us to do. Send it in what we have and we can react to their comments.
- Ms. McCabe suggested that we meet on January 4<sup>th</sup> to discuss just Zoning Amendments only. Board members are available, will finalize after checking with Ms. Wynne.
- Adding Washington Street may be a good idea. We want a reaction from the State. We can tweak it in response to the reaction.
- Submit as is, just the 3 parcels as written.

*Action Taken:*

Upon a motion made by Mr. McCusker and seconded by Mr. Atkins, the Planning Board voted 4-0 in favor via roll call vote to approve the Multi-Family Overlay District send the draft as presented for the advisory opinion over the Pulte, Gables, and the Foster Block Everett Street properties. Record of the vote: Atkins – aye, McCusker – aye, Pfaff – aye, and Rollings – aye.

Public Comments:

Chair Pfaff read Ms. Fusco typed in Q & A comments: For the record has Nora, Abby or any other town employee/officials been talking with developers on this potential development? *Ms. Loughnane, she has had several developers call about various parcels around town before this Zoning Law even came to be.*

Ms. McCabe discussed another option to consider Smart Growth District 40R for another warrant article placeholder.

- Is there a requirement? *Ms. McCabe will have to double check, but construction within 3 years. Suggest 22 Everett Street property. Minimum density is higher with an affordable component. An additional overlay district.*
- Based on the density, need more information/conversations.
- Mr. Ahearn: Have a proposal in front of you let Ms. McCabe draft something.
- If submitted now, can we withdraw it? *Mr. Ahearn: Yes, you can.*

Article 3 Solar Arrays – Zoning changes related to solar arrays on structures, on the ground, on accessory structures, and the permitting process.

Ms. McCabe discussed comments and suggestions from WEAC. They suggest straight to the Building Department for permitting without the public hearing process with the ZBA or Planning Board. Consider what the Planning Board wants. As currently drafted the ground mounted solar arrays go to the Planning Board with a public hearing and abutter notification while roof mounted will be as is currently with straight to the Building Department for permits. Right now ground mounted goes to the ZBA for a public hearing with abutter notification.

Comments:

- Public health safety and public welfare.
- No need for an EIDR, the building dept. can deal with it and administrative review can check on the screening.
- It will still remain a Planning Board article, taking it away from ZBA, but still needs a formal zoning amendment.

Public Comments:

Mr. Olanoff, 52 Glandore Road. Let Ms. McCabe do an Admin Review. *Mr. Pfaff, we all agree the Admin review is enough.*

Ms. McCabe, administrative EIDR, there is still a cost, app fee is less and the timing is less. No public hearing process. Difference in paperwork required vs. roof mounted. Planning Board EIDR is more expensive. If the applicant disagrees, they have some recourse. Do you notify the abutters? *Ms. McCabe: No.*

Public Comments:

Ms. Galkowski typed in chat: There are also inspection costs with a formal EIDR~\$2K. Public hearing and decision allowed 155 days per regulations. *Ms. McCabe: No inspection fees. The Public Hearing process is much longer. 6-8-week process. We want to keep the public process. No recourse for the next door neighbor.*

We will need a 2/3 vote at town Meeting.

No public hearing process would be the most liberal approach.

The zoning would stay with the ZBA if it does not pass at Town Meeting.

Resident typed in chat: Shouldn't small ground mount solar be treated the same as other accessory structures.

*Ms. McCabe: You can draft an article to make it Building Permit or Building Permit with Administrative EIDR we can draft it and review it in January.*

Principle use vs. accessory use?

Is this residential or commercial? *Ms. McCabe: Both.*

Board member consensus was to further revise the draft zoning so that all solar goes right to a building permit without requiring a public hearing with the ZBA or Planning Board. Principal uses for ground solar could be administrative

EIDR review, or an Administrative EIDR process but no public hearing process with the Planning Board. Ms. McCabe will revise the draft.

394 & 396 Providence Highway – Re-zone parcel and portion of former right-of-way to HB from I and non-designated portion of the former road layout.

Ms. McCabe gave a quick summary and they want the property rezoned from Industrial to Highway Business.

Obed Baker House, 909 High St. possible re-zoning in response to adaptive reuse RFP. No decisions have been made, the Select Board members still need to review the full proposal and decide to act on the responses. Ms. Loughane said the Town received one submission in response to the RFP. We will propose an article FMUOD 7 to include the parcels including the Dunkin Donuts plaza along with the Obed Baker house properties. Something the Planning Board can consider and then it would go to Town Meeting.

A draft has been prepared in the past and withdrawn before, staff will revisit this draft and provide this to the Board.

**Summarize:**

Article 1: Multi-Family Housing for MBTA Communities and send it to the State for an advisory opinion, no changes.

Article 2: 40R Smart Growth District for 22 Everett Street. Ms. McCabe will look into this further, will review the process, requirements and prepare a draft for January.

Article 3: Solar Arrays: Ms. McCabe will revise with tonight's comments.

Article 4: Rezoning for Adaptive Reuse of Obed Baker and adjacent business property. We will think about it.

Article 5: Gas station redevelopment, re-zone to make use conforming and redevelop property.

Article 6: Housekeeping is to correct any errors and non-substantive changes to correct numbering and formatting.

**Action Taken:**

Upon a motion made by Mr. McCusker and seconded by Mr. Atkins, the Planning Board voted in favor (4-0) via roll call vote to accept the articles discussed above. Record of the vote: Atkins – aye, McCusker – aye, Pfaff – aye, and Rollings – aye.

Mr. Ahearn noted that a point of clarifying that right now the Board is voting to have placeholders for the warrant.

**Other Business:**

**Action Taken:**

Upon a motion made by Mr. McCusker and seconded by Mr. Atkins, the Planning Board voted 4-0 in favor via roll call vote to approve the meeting minutes from November 30, 2021 as written. Record of the vote: Atkins – aye, McCusker – aye, Pfaff – aye, and Rollings – aye.

**Adjournment:**

Upon a motion made by Mr. Atkins and seconded by Ms. Rollings, the Planning Board 4-0 voted in favor via roll call vote to adjourn at 11:08 pm. Record of the vote: Atkins – aye, McCusker – aye, Pfaff – aye, and Rollings – aye.

**List of Documents:**

Link to Documents: [http://westwoodtownma.iqm2.com/Citizens/Detail\\_Meeting.aspx?ID=1669](http://westwoodtownma.iqm2.com/Citizens/Detail_Meeting.aspx?ID=1669)

Link to the Planning Board web page

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

<b>790 Gay St. Hanlon Elementary School Limited EIDR-EMM</b> Summary of Revisions, email from Rob Fitzgerald Revised Civil Plans, Nitsch Engineering, 12/01/2021, 14 pages. Revised Landscape Plans, DMLA, 9/10/2021, 12 pages. Revised Stormwater Report, Nitsch Engineering, 12/2/2021, 407 pages. Updated Subsurface Eval for Stormwater, Sanborn/Head, 11/17/2021, 38 pages. BETA Engineering Review 12-9-21, BETA, 12/9/2021, 16 pages. Staff comments from View Permit Draft Conditions of Approval, prepared by staff	PDF
<b>20 Wildwood Drive</b> Application, Public Hearing Notice, Westwood Planning Board, 11/18/2021, 1 page.	PDF



<p>Site Plan, Continental Land Survey, LLC, 11/10/2021, 1 page.  Project Description, 1 page.  Existing Conditions Photo, 1 page.  Existing Conditions Photo 2, 1 page.  Waiver Request &amp; Fill Origins, 1 page.  BETA Group, Review Comments, subject: 20 Wildwood Drive EMM EIDR Review, dated December 2, 2021  Staff Comments from View Permit</p>	
<p><b>78 Fox Hill Street ANR</b>  ANR Application, Fox Hill ANR Plan, R. Wilson &amp; Associates, 1 page.  Deed 1983, 5/12/1983, 1 page.  Fox Hill Image 1900, 1 page.  Legal Opinion-Lanza 10-20-2021, Mark J. Lanza, Attorney at Law, 10/20/2021, 3 pages.  Plan of Land 1930, 4/12/1930, 1 page.  Plan of Land 1946, 3/5/1946, 1 page.  Plan of Land 1947, 1/2/1047, 1 page.  Registry of Deeds Plans 1945-1996-Fox Hill Farm Estates 1947, 12/20/1945, 4 pages.  Deeded Access ROW, 5/12/1983, 5 pages.  Town of Westwood Assessor's Map # 9, 1 page.  78 Fox Hill 1920, 1 page.  78 Fox Hill 2017 Aerial, 1 page.  78 Fox Hill 2001 Aerial, 1 page.  78 Fox Hill 2021 Aerial, 1 page.  Picture of Fox Hill Street, 1 page.  ROW, 1 page.  Fire Dept. Access Letter, Westwood FD, 11/3/2021, 1 page.  Photo R-O-W, 1 page.  Letter of opposition from David W. Krumsiek, Perry Krumsiek LLP Attorneys at Law, to Planning Division, re: Application for Approval Not Required Endorsement 78 Fox Hill Street, Westwood, MA, dated December 11, 2021.  Legal terms for easements and rights of ways and private roads, prepared by Attorney Irene Del Bono, April 2, 2016.</p>	PDF
<p><b>Zoning Amendment Public Work Session</b>  DHCD Preliminary guidance for MBTA communities, Dept. of Housing &amp; Community Development, 1/29/2021, 2 pages.  Zoning Act Amendments January 2021-Redline, 15 pages.  Session Law Acts of 2020 Chapter 358, 172 pages.  Zoning Amendment Flow Chart, 1 page.  Multi-Family Zoning Presentation to Fin Com, 12/1/2021, 5 pages.  Mixed-Use Multi-Family Zoning 12-10-2021 REDLINED DRAFT  Mixed-Use Multi-Family Zoning 12-10-2021 DRAFT CLEAN  Foster Block 2021 Aerial View, Foster Block Street Map, 2010 Aerial Foster Block  Property Scoring Cards 11-30-2021  Draft Zoning Map Multi-Family Overlay  Ms. Wynne's edits on draft zoning  MA Housing Zoning Programs memorandum summary from Town Planner Abby McCabe, Smart Growth 40R Districts  Draft Zoning Amendments Solar WEAC Comments  Draft Zoning Amendments Solar 11-15-2021  MA Model Solar Bylaw  909-929 High St Zoning  394-396 Providence Highway Zoning  List of warrant Articles, Draft Memo from Planning Board  Boston Globe Article MBTA Housing Law</p>	PDF

Boston Globe Article December 14, 2021	
Chair opening remarks Memorandum from Town Planner Abby McCabe to Planning Board Members, RE: Meeting Summary, dated December 10, 2021, revised December 14, 2021 Draft meeting minutes from November 30, 2021	PDF