

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

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David L. Atkins, Jr., Vice Chair
Kathleen Wynne, Secretary
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PLANNING BOARD

**DECISION OF THE PLANNING BOARD
SCENIC ROAD APPROVAL
60 Dover Road in the Right-of-Way**

APPLICANT: Karon Skinner Catrone, Deputy Tree Warden & Conservation Agent
50 Carby Street
Westwood, MA 02090

PROPERTY OWNERS: Town of Westwood Right of Way
Westwood, MA 02909

PROPERTY LOCUS: Dover Road Right-of-Way in front of #60 Dover Road
Assessor's Map 09, Lot 064

BACKGROUND AND PROJECT SUMMARY

The Deputy Tree Warden was notified of a tree within the Dover Road public right-of-way in front of 60 Dover Road. Dover Road is one of the Planning Board's designated scenic roads. The Deputy Tree Warden inspected the tree and determined it was dead and should be removed for public safety due to its location in the right-of-way and near the power lines. The tree is recommended to be removed.

APPLICATION AND PLANS

At the Planning Board's meeting on January 11, 2022, the Board evaluated the requested tree removal and public hearing notice filed with the Town Clerk on December 14, 2021, and the following related submissions:

1. Application for Scenic Road public hearing, prepared by Karon Skinner Catrone, submitted on December 14, 2021.
2. Photographs of tree in right-of-way near 60 Dover Road, GIS and Aerial images.

STATEMENT OF FINDINGS

After having reviewed all the materials filed by the Applicant and their representatives, and having considered all correspondence, testimony, and materials submitted, the Westwood Planning Board makes the following findings:

1. The Applicant requested permission to remove one dead tree of which are within the public right-of-way to Dover Road, pursuant to M.G.L. Chapter 40, §15C (the "Scenic Road Act"), and M.G.L. Chapter 87, §3 (the "Public Shade Tree Act"), and the Rules and Regulations of the Town of Westwood Planning Board as Permit Granting Authority Pursuant to M.G.L. Chapter 40, Section 15C ("Scenic Roads Rules and Regulations").

2. Planning Board approval, pursuant to the Scenic Road Act, and the Scenic Road Rules and Regulations, is required for the removal of any tree within the public right-of-way on a designated scenic road.
3. Dover Road is listed as a Scenic Road in the Planning Board's Scenic Roads Rules and Regulations.
4. Pursuant to the Scenic Road Act and the applicable provisions of the Scenic Roads Rules and regulations, the Planning Board gave notice of the public hearing published in the Transcript & Bulletin on December 23, 2021 and December 30, 2021. Notice of the public hearing was posted in the Westwood Town Hall and the Carby Street Municipal Building on December 15, 2021. Said notice of the public hearing was mailed to all Parties in Interest as defined in the Scenic Road Act and the Scenic Road Rules and Regulations on December 15, 2021. Said notice of the public hearing was posted on the tree in advance of the hearing.
5. 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 January 11, 2022, 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 the Governor's March 12, 2020 Order suspending certain provisions of the Open Meeting Law MGL c. 30A §18 and pursuant to Chapter 20 of the Acts of 2021, signed into law by Governor Baker on June 16, 2021, 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 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 the January 11, 2022 by a roll call vote.
6. Westwood Planning Board Members Ellen Larkin Rollings, Kathleen Wynne, David L. Atkins, Jr., Christopher A. Pfaff, and Thomas P. McCusker deliberated on the Application at a duly authorized meeting on January 11, 2022.
7. No property owners, members or the public, or other interested parties expressed opposition to the removal of the trees.
8. The Planning Board considered the application in accordance with section 10 of the Scenic Roads Rules and Regulations, and determined that the tree should be removed in the interest of public safety, and that the removal of the trees will not have an adverse impact on the Scenic Road or surrounding area.

DECISION

The Planning Board evaluated the Application in relation to the above Findings, and by a vote of five (5) in favor and none (0) opposed, hereby ***grants approval*** for the removal of the tree within the Dover Road public right-of-way in front of #60. When funds are available, the tree shall be replaced with a native species approved by the Tree Warden and Town Planner.

RECORD OF THE VOTE

The following members of the Planning Board voted to grant a Scenic Road Approval for the abovementioned project: David L. Atkins Jr., Ellen Larkin Rollings, Christopher A. Pfaff, Kathleen Wynne, and Thomas P. McCusker.

The following members of the Planning Board voted in opposition to a Scenic Road Approval for the above mentioned project: None.

Original

January 19, 2022

Abigail McCabe
Town Planner

DATE