

Westwood Planning Board Minutes
Tuesday April 12, 2022
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 July 15, 2022, of the remote meeting provisions of his March 12, 2020, Executive Order. The April 12, 2022 Planning Board meeting was conducted via remote participation by the Board.

Call to Order:

The meeting was called to order by Chairman Pfaff at approximately 7:06 pm. 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 https://www.youtube.com/results?search_query=westwood+media+center. Chairman Pfaff explained the meeting procedures, and how the Planning Board 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. Staff members present: Nora Loughnane, Director of Community & Economic Development, Pat Ahern, Town Counsel and Jessica Cole, who recorded the meeting minutes.

Special Permit Public Hearing for Modification to Development Area A of the University Station Master Development Plan.

Applicant: Paul Cincotta, New England Development, was present for a proposal for a Hotel at the Upper Campus. He gave a brief background of the Master Development Plan. Special Permit for a change to the Plan. Substitute a hotel from an office building, and increase the number of hotel rooms regionally proposed. He went through the Special Permit Requirements.

Board Comments:
None.

Project Development Review for Hilton Hotel2, Station Drive.

The team worked with BETA on the peer review comments and Nate Cheal from Tetra Tech went through the modifications suggested from BETA. He discussed moving the transformer, EV chargers, the sidewalks and will add a directional sign for the Hotel.

John McGinn from Chamberlain Architects went through the changes that have been made with colors and stone and showed the screening on the roof.

Merrick Turner, BETA Town Peer reviewer was present. He stated that the applicant has made updates and issued an updated letter to the Planning Board. The applicant has been very responsive; most comments have been resolved.

Mr. Turner had 3 comments: Transformer will be moved, but it may require a condition, Draft O&M plan and Signage.

Board Comments:

- Ms. Wynne asked Mr. Turner if he was happy with the parking configuration? *Mr. Turner: Yes.*
- Mr. Pfaff asked about signage? *Mr. Turner: We have not seen detail on the configuration of the sign. A monument type sign, there is space on an existing sign. Mr. Cincotta: There are 2 existing monument signs that will have hotel panels added on them.*

Lawrence Cranor from RKG Associates was present to discuss the Fiscal Impact analysis. The evaluation is all positive, it is a net positive increase of \$89,500.

Board Comments:

- Mr. Pfaff asked how the Courtyard is doing? *Ms. Loughnane: They are doing very well, and did well throughout the pandemic.*

Mike Sinesi was present and stated that the applicant has been forthcoming and did a great job responding to the issues.

Public Comments:

Fran Fusco of 20 Pine Lane typed in the chat: The Town of Westwood is trying to lower its carbon footprint, as recently discussed at last night's Select Board meeting. Will this project include solar on roof and/or parking lot canopies? If not, why? *JJ Singh: We are going to design the roof to be solar ready. Depends on the financing.*

Action Taken:

Upon a motion made by Mr. McCusker and seconded by Ms. Wynne, The Planning Board voted in favor (5-0) via roll call vote to grant a Special Permit for the Modification of the University Station Master Development Plan (MDP) modifications to replace the current MDP, which was originally approved pursuant to Article 1 of the May 6, 2013 Special Town Meeting, subsequently modified by vote of the Planning Board on April 11, 2017, further modified by Administrative Approval on January 24, 2019, and further modified by vote of the Planning Board on April 23, 2019, with a new MDP titled "University Avenue Mixed Use District, Modified Master Development Plan" prepared by Tetra Tech, dated December 11, 2012 and revised through February 17, 2022, (Sheet C-101).

PDR:

Ms. Loughnane recommended 12 conditions for the Board's consideration as follows:

1. The Project shall be constructed in full conformity with the Application and all submitted plans and materials. The Applicant shall pursue completion of the Project with reasonable diligence and continuity.
2. The Proponent shall submit a final revised plan set, including civil site plans and architectural design plans, revised through the close of the public hearing on April 12, 2022, in PDF format incorporating any modifications made by any conditions of this approval. Said plan set shall be submitted to the Town Planner for the Planning Board's file.
3. The Proponent shall submit a final plan for location and screening of the transformer, for final review and approval by the Town Planner prior to the issuance of a Building Permit.
4. The Proponent shall submit a final Operation and Maintenance Plan (O&M Plan) for review and approval by BETA Group, the Fire Chief, and the Town Planner. Said O&M Plan shall be submitted at least 30 days prior to the request for a Certificate of Occupancy.
5. The Proponent shall submit a final signage plan, in conformance with the requirements of Section 9.7.10, for review and approval by the Town Planner prior to application for a Building Permit for such signage. The building shall have signage that prominently displays the building address for ease of emergency response.
6. The Proponent shall submit a final landscape plan, showing any alterations to plantings in the areas of monument signs and/or transformer, for final review and approval by the Town Planner prior to the issuance of a Building Permit.
7. 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 Proponent 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.
8. The Project shall be subject to all necessary local approvals, including but not limited to any required Board of Health approvals for operation of a hotel, food service establishment, and swimming pool, as well as Select Board approval for any Alcohol and Common Victualler license.
9. A final As-Built Plan shall be submitted in PDF and Auto-CAD format to the Town Planner and Public Works Departments prior the issuance of a Certificate of Occupancy. The As-Built Plan shall show all structures, parking spaces, walkways, landscaping, pavement markings, site features, and utilities.
10. The Proponent shall use a waste hauler, licensed by the Westwood Board of Health to dispose of all construction debris and trash disposal.
11. If necessary, during construction, the Proponent shall provide a portable toilet from a company licensed by the Westwood Board of Health.

12. The Town Planner shall review and approve the site for compliance with the Planning Board's approval prior to the issuance of a Certificate of Occupancy.

Action Taken:

A motion was made by Mr. McCusker and seconded by Ms. Wynne, to approve the Project Development Review for the proposed 131-room Hilton Home2 Hotel facility, as described in the Application filed by Brian Dugdale, on behalf of 200 Station Owner LLC, with the Planning Board on February 25, 2022 and in the Office of the Town Clerk on March 8, 2022 (hereinafter "Application"), subject to the 12 conditions that Ms. Loughnane read.

Discussion:

- Mr. Pfaff said he was in favor of having the review of any modifications to the transformer screening handled by the Town Planner.
- Mr. Atkins asked if the Board could add a condition requiring the new building to be solar-ready. He suggested a condition requiring the applicant to make reasonable efforts for solar, and report back if it is not financially reasonable.
- Ms. Loughnane drafted a new condition #2 as follows:
 2. The hotel building shall be designed as a solar-ready facility and the Proponent shall make reasonable efforts to install rooftop solar and/or solar canopies, and shall report back to the Planning Board within two years from the date of issuance of a Certificate of Occupancy if such is not feasible.
- Mr. Pfaff asked Mr. Cincotta if he was comfortable with the amended condition #2. Mr. Cincotta replied that he was.

Action Taken:

Upon a motion made by Ms. Wynne and seconded by Ms. Rollings, to amend the motion that was on the floor to include 13 conditions. The Planning Board voted in favor (5-0) via roll call vote to grant PDR Approval with the 13 conditions noted above.

Upon a motion made by Mr. Atkins and seconded by Ms. Wynne, The Planning Board voted in favor (5-0) via roll call vote to close the Special Permit Public Hearing for Modification to Development Area A of the University Station Master Development Plan.

Request for Minor Modification of Limited Environmental Impact & Design Review & Earth Material Movement (EIDR-EMM) Approval Hanlon-Deerfield Elementary School Project – 790 Gay Street.

Roberto Fitzgerald, D+W was present to discuss the minor modification.

Cost estimates are being impacted by fuel cost and supply chain issues and he has been trying to reduce costs. Taking out some concrete and making it asphalt.

Maya Plotkin, School Building Committee was present. She gave some background about why we are here, they want to stay on budget, but want to have flexibility.

Board Comments:

- Mr. Pfaff asked for the list of alternates: *Ms. Plotkin: UVAC system for the HVAC, the canopy, irrigation for the fields, site furnishings, Phase 2 landscaping.*
- Mr. Pfaff asked if there a priority to the order. *Ms. Plotkin: Yes. They were listed in a specific ranked order. Will take as many as we can on bid day.*
- Mr. Pfaff asked for an explanation of the yellow squares on the baseball fields. *Mr. Fitzgerald: Pad for bleachers.*
- Ms. Rollings said that she likes the positive change to the STEM porch which will allow for less impervious surface and more green space.

Public Comments:

Ms. Fusco typed in chat: It's unfortunate many of the aesthetics of this project have been taken out.

Ms. Loughnane read through BETA's comments on the requested minor modification.

She noted that BETA is looking for clarification of the location for the subsurface infiltration system C-7. She also noted that the Department of Public Works expressed opposition to the proposed change in the material of selective sidewalks from cement concrete to asphalt.

Mr. Pfaff asked Mr. Fitzgerald to go through the proposed sidewalk changes. He noted that concrete sidewalks would remain along Gay Street and at all curb cuts. Ms. Plotkin stated that if there is money it will be all concrete which the School Committee prefers.

Action Taken:

Upon a motion made by Mr. Atkins and seconded by Mr. McCusker, The Planning Board voted in favor (5-0) via roll call vote to find the proposed revisions to the Limited Environmental Impact & Design Review and Earth Material Movement (EIDR-EMM) Approval for the Hanlon-Deerfield Elementary School Project which was granted by the Planning Board on December 14, 2021, to constitute Minor Modifications to the original EIDR-EMM Approval.

Ms. Loughnane recommended 2 conditions for the Board's consideration as follows:

1. The Applicant shall submit a final revised plan set, including civil site plans and architectural design plans, revised through the close of the public hearing on April 12, 2022, in PDF format incorporating any modifications made by any conditions of this approval. Said plan set shall be submitted to the Town Planner for the Planning Board's file. Revised plans shall clarify location of subsurface infiltration system C-7 and provide schematic of its revised layout.
2. Project shall be constructed in full conformity with the Application and all submitted plans and materials. The Applicant shall pursue completion of the Project with reasonable diligence and continuity. All conditions of the original EIDR-EMM Approval shall remain in full force and effect.

Upon a motion made by Mr. Atkins and seconded by Mr. McCusker, The Planning Board voted in favor (5-0) via roll call vote to grant a Minor Modification to the Limited Environmental Impact & Design Review and Earth Material Movement (EIDR-EMM) Approval for the Hanlon-Deerfield Elementary School Project which was granted by the Planning Board on December 14, 2021, to allow the modifications described in the Application filed by Roberto Fitzgerald of Dore & Whittier Architects, on behalf of the School Building Committee, with the Planning Board and in the Office of the Town Clerk on April 8, 2022, subject to the following conditions read by Ms. Loughnane.

Zoning Amendment Public Hearing (continued from 3/29). The Board will review, discuss, consider any further changes on zoning amendment articles for Annual Town Meeting.

Ms. Loughnane stated that the Planning Board's six Zoning Amendment Warrant articles were approved by the Finance & Warrant Commission on March 29th, in the final form that was vote on by the Board at that hearing. She said that the articles were printed in the Warrant book with the finalized wording, and requested a vote to authorize the Chair to recommend approval of the six articles by voters at Town Meeting. She asked if there were any final comments or clarifications on the Articles.

Board Comments:

- Ms. Rollings asked when the revised guidelines for MBTA Communities will be issued by the State? *Mr. Ahern: Will probably hear back by Labor Day.*
- Ms. Rollings stated that the Massachusetts Municipal Lawyers Association and the Massachusetts Municipal Association are making the legal argument that the draft guidelines that the Department of Community Housing and Development have developed have overreached the confines of the legislation in many aspects. She said that she is curious about the next rounds of guidelines. Other communities have expressed concerns. This does not work in all communities.
- Ms. Rollings stated that she would like to discuss other legislation related to housing at a future Planning Board meeting and give recommendations to state legislators. *Mr. Ahern: Will keep abreast of pending legislation and share with the Board.*
- Ms. Rollings asked for clarification that the zoning article is in compliance with the legislation, even though it may not be in compliance with the draft guidelines. *Mr. Ahern said we are in compliance with the law, but not in compliance with the guidelines.*

Public Comments:

Ms. Fusco typed in chat: Is the owner of the Everett Street property (Tumble Bus) did they have any buyers lined up since it might be rezoned. Rumor has it Petruzzello Properties? *Ms. Loughnane: There is a Purchase and Sales agreement on that property and the Fosters are currently under contract with Petruzzello Properties LLC.*

Action Taken:

Upon a motion made by Mr. Atkins and seconded by Ms. Wynne, the Planning Board voted in favor (4-0-1) to close the Zoning Amendment Public Hearing.

Upon a motion made by Mr. Atkins and seconded by Ms. Wynne, The Planning Board voted in favor (4-0-1) to recommend Town Meeting approval of all 6 Articles and authorize the Chair to present this recommendation to Town Meeting.

Approval Not Required (ANR) Plan - 32 Autumn Drive.

Ms. Loughnane explained the ANR. It involves 3 properties including 26 & 35 Autumn Drive. 26 & 35 did not submit their property owner authorization form so the plan is incomplete.

Action Taken:

A motion made by Mr. Atkins and seconded by Ms. Rollings to find that the ANR application is incomplete. Mr. Atkins then made a motion for an amendment of the original motion to include that the ANR application is incomplete because we have not received approval from the owners of 26 & 35 Autumn Drive. Ms. Wynne seconded the proposed amendment. The Planning Board voted in favor (5-0) via roll call vote to find that the ANR application is incomplete because the Planning Board has not received approval from the owners of 26 & 35 Autumn Drive. Ms. Loughnane will reach out to the Town Clerk.

Review of Draft Meeting Minutes from March 22, 2022 and March 29, 2022

Upon a motion made by Mr. McCusker and seconded by Ms. Wynne, The Planning Board voted in favor (5-0) via roll call vote to approve the Meeting Minutes from March 22, 2022 as submitted.

Upon a motion made by Mr. Atkins and seconded by Ms. Wynne, The Planning Board voted in favor (5-0) via roll call vote to approve the Meeting Minutes from March 29, 2022 as submitted.

Schedule Dates for Upcoming Meetings.

April 25th

May 17

June 7

Public Comments:

Ms. Milosavljevic-Fabrizio, 32 Webster Street, typed in chat: I tried to phone in and failed. I have been raising my hand for a while.

Ms. Loughnane: Made Ms. Milosavljevic-Fabrizio a participant and unmuted her microphone.

Ms. Milosavljevic-Fabrizio typed: This is for the Zoning Change. I am trying to unmute.

Ms. Loughnane: Ms. Milosavljevic-Fabrizio is unmuted on the town's end. There might be a problem with the callers own microphone.

Mr. Pfaff asked for confirmation that the Board is allowed to listen to her comments but cannot comment because our hearing is closed? *Mr. Ahern: That is the case, but you can listen to her comments.*

Mr. Pfaff stated that he would be happy to give the caller an opportunity to comment.

Ms. Loughnane: Try leaving and rejoining the meeting. Mr. Ahearn: She can type her comments into the chat.

Ms. Milosavljevic-Fabrizio typed: I'll try to call once again.

Updates from Agency and Committee Representatives.

- Mr. Pfaff asked what is happening with the Housing and Zoning Agent? *Ms. Loughnane: We have an open position. We have taken the zoning portion of that position and combined it with the Land Use and Licensing position so we have someone to handle zoning, but need someone to handle housing and we don't have a Land Use specialist. Still keeping up with everything.*
- Mr. Pfaff asked is there a posting for a Town Planner? *The position has been posted and have begun to interview candidates.*

Public Comments:

Ms. Milosavljevic-Fabrizio typed: The number dialed is not supported for this meeting. This is the third attempt calling 877-853-5257 as noticed in the meeting publication. In one medium or another I have attended just about all of the various meetings centered around this proposed change to our zoning bylaw.

Mr. Ahearn: Alternative phone numbers for call in to the Planning Board meeting. Mr. Pfaff: Board cannot answer questions outside of the hearing but that Ms. Loughnane can provide any needed clarification.

Ms. Milosavljevic-Fabrizio typed: I think perhaps you have been ill-advised in prematurely wasting so much time in spending so much effort on this one issue. I say this meaning no disrespect and I have some brief observations to share with the Board. If you silence all the noise and chatter what remains is just speculation. This is a public comment period and it is important for this Board to hear the comments.

Mr. Ahearn: The Planning Board is attempting to allow the resident to make comments at this meeting.

Ms. Milosavljevic-Fabrizio typed: Arguments have been made referring to our Comprehensive Plan that residents want this. well I would say that depends on who you ask.

Mr. Atkins: Tried to call in to the phone numbers and received the same message stating that the numbers are not supported for the meeting.

Ms. Milosavljevic-Fabrizio typed: We had no parameters in place that prevented duplicate submissions from the same person which invalidates the results of any survey.

Ms. Loughnane: It sounds like the comments are about the Comprehensive plan.

Ms. Milosavljevic-Fabrizio typed: So is this meeting not valid? No?

Mr. McCusker suggested that the Board had spent enough time on this.

Ms. Milosavljevic-Fabrizio typed: It is relative to the zoning.

Mr. Pfaff: Given that we have already voted on and closed our hearing we cannot make any changes at this point. We have had 24 or 25 meetings and given the public plenty of time and we did have public comments.

Ms. Milosavljevic-Fabrizio typed: I would suggest that you are not giving the public proper time to comment but the call-in numbers are not valid for this Public Hearing.

Mr. Pfaff: The Board has complied with all requirements and has given an opportunity for everyone to comment over 9 months.

Mr. Ahearn: People will have further opportunity to talk about this at Town Meeting.

Mr. Pfaff: Understands that there is a technical problem with the call in numbers that cannot be rectified at this time, but agree that it is time to end this discussion.

Ms. Wynne: Thank you to the caller for taking the time to type in her comments and be heard and for highlighting the technical issues. In the interest of time and with respect to how much has been put into the process, it is time to move on.

Ms. Loughnane: Will read the three comments that have been typed.

Ms. Milosavljevic-Fabrizio typed: This meeting needs to be reopened. No opportunity to call in. This is not the first public hearing that the phone numbers provided for the hearing were wrong.

Mr. Ahern: The Public still has time to speak at Town Meeting. The Public Meeting has been closed, you cannot reopen it at this time. There is still an opportunity to discuss this publically at Town Meeting.

General Miscellaneous Updates and Administrative Items.

None.

Public Comments:

Ms. Fusco typed in chat: In fairness I don't feel enough time is given to type in a message or comment.

Adjournment:

Upon a motion made by Mr. McCusker and seconded by Ms. Wynne, The Planning Board voted in favor (5-0) via roll call vote to adjourn at 9:16pm.

List of Documents:

Link to Documents: http://westwoodtownma.iqm2.com/Citizens/Detail_Meeting.aspx?ID=1693

Link to the Planning Board web page <https://www.townhall.westwood.ma.us/departments/community-economic-development/planning-division>

<p>Station Drive Master Plan Modification Public Hearing Notice, Westwood Planning Board, 2/23/2022, 1 page. Special Permit Application, Station Owner LLC, 2/17/2022, 17 pages. Phase II Master Site Layout Plan, Tetra Tech, 2/17/2022, 1 page.</p>	<p>PDF</p>
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<p>Fiscal Analysis Update, Fougere Planning & Development, Inc., 2/17/2022, 4 pages. Updated Drainage & Utility Summary, Tetra Tech, 2/17/2022, 99 pages. Traffic Study Update, Vanasse & Associates Inc., 2/17/2022, 9 pages. BETA Review Comments 2022-03-09 Amended Master Plan, BETA, 3/9/2022, 4 pages. Modified Master Development Plan, Tetra Tech, 2/17/2022, 1 page. Staff Review Comments, 3/17/2022, 1 page. Modified Master Development Plan APPROVED-2019-04-23, Tetra Tech, 2/20/2019, 1 page. 2019 Planning Board Approval of Modified Master Development Plan, Westwood Planning Board, 4/25/2019, 5 pages. C-900-Phase II Master Site, Tetra Tech, 4/1/2022, 1 page.</p>	
<p>Zoning Amendment Continued Public Hearing PB Zoning Article Language 03-08-2022-Revised.dox, Westwood Planning Board, 3/8/2022, 26 pages. PB Zoning Article Language 03-08-2022, Westwood Planning Board, 3/8/2022, 28 pages. PB Zoning Article Language 03-29-2022 FINAL, Westwood Planning Board, 3/22/2022, 27 pages.</p>	PDF
<p>Hanlon Elementary School Project-Modification Application Summary, Dore+Whittier, 4/6/2022, 1 page. Proposed Revisions to STEM Porch, Walkway, Canopy, 4/6/2022, 3 pages. Proposed Sidewalk Revisions, Dore+Whittier, 2/18/2022, 1 page. Revised Stormwater Memo, Nitsch Engineering, 4/4/2022, 1 page. Proposed Landscape Revisions, Dore+Whittier, 3/28/2022, 1 page. Original EIDR-EMM Approval Decision 121421, Westwood Planning Board, 12/14/2022, 8 pages. 790 Gay Street-Hanlon Elementary School Peer Review 4-11-2022, BETA, 4/11/2022, 2 pages.</p>	PDF
<p>32 Autumn Drive-Approval Not Required (ANR) ANR Plan, Glossa Engineering, 12/7/2021, 1 page.</p>	PDF
<p>Station Drive Hotel Project Development Review Project Intro Letter, 200 Station Owner LLC, 2/25/2022, 2 pages. Narrative, 10 pages. Development Data, 2 pages. List of Required Permits, 1 page. Drainage Calculations, Tetra Tech, 2/17/2022, 106 pages. Project Plans, Tetra Tech, 2/17/2022, 32 pages. BETA Engineering Review Hotel-100 Station Drive, BETA, 3/17/2022, 9 pages.</p>	PDF