

**TOWN OF WESTWOOD**  
COMMONWEALTH of MASSACHUSETTS

Christopher A. Pfaff, Chair  
Ellen Larkin Rollings, Vice Chair  
Kathleen Wynne, Secretary  
Joshua C. Ames  
Philip M. Giordano



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**PLANNING BOARD**

**CORRECTED DECISION OF THE PLANNING BOARD  
ENVIRONMENTAL IMPACT AND DESIGN REVIEW APPROVAL**

**APPLICANT** Lisa Lowrie  
idGroup  
2641 Irving Blvd.  
Dallas, 75207

**PROPERTY OWNERS:** Westwood University Ave LLC  
505 University Ave.  
Norwood, MA 02062

**PROPERTY LOCUS:** 345 University Avenue  
Assessor's Map 37, Lot 13

**BACKGROUND AND PROJECT SUMMARY**

The Applicant proposes to install a wooden fence enclosure around a dumpster located adjacent to an existing dock door at 345 University Avenue Westwood, MA. The existing commercial building is on property located within the Industrial (I) zoning district. The proposed dumpster enclosure is subject to Environmental Impact and Design Review (EIDR) Approval, pursuant to Sections 7.3 of the Westwood 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 July 15, 2022, an application was filed by Lisa Lowrie, pursuant to 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 *Hometown Weekly*, a newspaper of general circulation in Westwood, on Thursday, August 18, 2022 and again on

Thursday, August 25, 2022. Notice of the public hearing was posted in the Westwood Town Hall commencing on August 18, 2022, and continuing through the opening of the public hearing on September 6, 2022. 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 19, 2022.

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, and Town Engineer on July 15, 2022.
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 6, 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, Executive Order suspending certain provisions of the Open Meeting Law (MGL C. 30A, §18), currently extended through March 31, 2023. Said hearing was opened on September 6, 2022 and immediately continued to September 20, 2022. The public hearing was again opened and held on September 20, 2022.
5. 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. On September 20, 2022, public comments were taken, and the Planning Board deliberated on the application.
6. Westwood Planning Board Members Joshua Ames, Philip Giordano, Ellen Larkin Rollings, Kathleen Wynne, and Christopher Pfaff were present for the public hearing sessions on September 6, 2022 and September 20, 2022, and deliberated on the Application at a duly authorized meeting on September 20, 2022.

#### **PROJECT FINDINGS:**

1. The subject property consists of approximately 2.6 acres, located at 345 University Avenue and is shown as Map 37, Lot 13 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. The Property contains an existing 36,000 SF commercial structure used for retail with associated material storage, which operates pursuant to an Administrative Environmental Impact & Design Review (EIDR) Approval granted by the Town Planner on June 9, 2017. Condition 6 of the Administrative EIDR Approval decision requires any exterior dumpster for trash and recycling to be located within an enclosure that is solidly constructed of wood, stone, or brick and gated.
3. Contrary to Condition 6 of the Administrative EIDR Approval decision, an exposed dumpster has been in use on the Property for a year or longer, and Violation notices and tickets have been issued by the Westwood Building Inspector on multiple occasion, beginning in September 2021. The amount due under said tickets, including fines and postage, currently amounts to \$2,934.54
4. The Applicant proposes to install a wooden fence enclosure around a dumpster located adjacent to an existing dock door on the Property as shown on submitted plans.
5. The Project Site is located within the Industrial (I) zoning district. The proposed dumpster enclosure is subject to Environmental Impact and Design Review (EIDR) Approval, pursuant to Sections 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 of the Westwood Zoning Bylaw.

### APPLICATION AND PLANS

The Planning Board evaluated the Application filed by or on behalf of the Applicants in the Office of the Town Clerk on July 15, 2022, and all material submitted through the close of the public hearing on September 20, 2022. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Site Plan titled “Daltile #382, 342 (sic) University Ave, Westwood, MA 02090”, prepared by idGroup, 2641 Irving Blvd, Dallas, 75207, dated June 1, 2021 and revised through June 22, 2022, and stamped by Registered Architect Carry D. McLain, consisting of one (1) sheet.
2. Plan Set titled “Daltile, Store 382, 345 University Ave, Westwood, MA 02090”, prepared by idGroup, 2641 Irving Blvd, Dallas, 75207, dated June 1, 2021 and revised through May 31, 2022, consisting of seven (7) sheets as follows:

Sheet G0.0	Cover Sheet
Sheet G1.0	Site Plan
Sheet G1.1	Site Plan (Record Dwg)
Sheet D1.0	Demolition Plan
Sheet A2.0	Floor Plan & Elevations
Sheet S1.1	General Notes and Section Details
Sheet S2.1	General Notes and Section Details
3. Document titled “Detailed Narrative Report”, prepared by Lisa Lowrie, idGroup, 2641 Irving Blvd, Dallas, 75207, dated July 12, 2022, consisting on one (1) page.
4. Document titled “Written Response re: Town Planner Initial Review Comments”, prepared by Lisa Lowrie, idGroup, 2641 Irving Blvd, Dallas, 75207, dated July 12, 2022, consisting on two (2) pages.
5. Unlabeled document containing photographs of existing conditions, undated, consisting of thirteen (13) pages.
6. Property Owner Application Authorization dated June 22, 2022.

### 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. The following waivers from standard EIDR application submittal requirements of Section 7.3.7 are hereby granted by the Planning Board upon a determination that they are not to this particular Application:

1. Waiver of landscape plan required pursuant to Section 7.3.7.1.1 of the Zoning Bylaw;

2. Waiver of stormwater plans and report required pursuant to Section 7.3.7.1.6 of the Zoning Bylaw;
3. Waiver of exterior lighting plan required pursuant to Section 7.3.7.2 of the Zoning Bylaw;
4. Waiver of traffic study required pursuant to Section 7.3.7.3 of the Zoning Bylaw; and
5. Waiver of presentation model required pursuant to Section 7.3.7.7 of the Zoning Bylaw.

#### **DECISION:**

On September 20, 2022, the Planning Board evaluated the Application in relation to the above Findings, and as the approving authority, on a roll call vote by a vote of five (5) in favor and none (0) opposed, hereby **grants** Environmental Impact and Design Review (EIDR) **Approval** pursuant to Section 7.3 of the Westwood Zoning Bylaw for the Project as described above and in the application therefor filed in the office of the Town Clerk on July 15, 2022, subject to the Conditions stated herein, all of which are an integral part hereof:

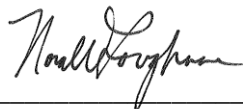
#### **CONDITIONS OF APPROVAL:**

1. Except as modified by the conditions and findings hereof, the Project shall comply with the Project Plans, and with the conditions of all prior approvals, in all respects, and the Applicant shall pursue completion of the project with reasonable diligence and continuity.
2. The dumpster shall have an impermeable lid or cover integral to the dumpster.
3. Prior to the issuance of a Building Permit for the proposed work, the Applicant shall pay in full all fines and fees incurred for violations of the Zoning Bylaw, including applicable postage costs.
4. Trash removal be scheduled outside of Dal-Tile's normal business hours and in full accordance with applicable local bylaws.
5. If the Project, or any Condition imposed in this Decision, requires permit, license, or other approval from any board or commission, including the Westwood Conservation Commission, Westwood Zoning Board of Appeals, Westwood Select Board, or any 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. 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 an 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.
6. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.

## RECORD OF VOTE

The following members of the Planning Board voted by roll call vote on September 20, 2022 to grant EIDR Approval pursuant to Section 7.3 of the Westwood Zoning Bylaw for the abovementioned Project: Joshua Ames, Philip Giordano, Ellen Larkin Rollings, Kathleen Wynne, and Christopher Pfaff.

The following members of the Planning Board voted in opposition to EIDR Approval pursuant to Section 7.3 of the Westwood Zoning Bylaw for the abovementioned Project: None.



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Nora Loughnane  
Director of Community & Economic Development  
DATED: October 6, 2022