

PROJECT NARRATIVE

**APPLICATION FOR SPECIAL PERMITS, ENVIRONMENTAL IMPACT AND
DESIGN REVIEW (EIDR) AND EARTH MOVEMENT EIDR**

**APPLICANT:
SKYE REALTY MANAGEMENT, LLC**

**PROPERTY:
190 WASHINGTON STREET, WESTWOOD, MA**

I. INTRODUCTION AND OVERVIEW OF THE PROJECT

Skye Realty Management, LLC (the “Applicant”) is the owner of the owner of the real estate known and numbered as 190 Washington Street, Westwood, MA, and shown on Westwood Assessor’s Map 16, Lot 162 (the “Subject Property”). The subject Property contains approximately 14,086 square feet (.32 acres) of land and has approximately 135 feet of footage on Washington Street. The Subject Property is approximately 20 feet from Waldo Street to the south and approximately 68 feet from Wentworth Street to the north. The Subject Property is currently occupied by a 2-story commercial building with a gross floor area of 4,689 square feet inclusive of a 1,311 square foot unfinished basement, a 144 square foot porch, and a 72 square foot utility/storage unit. The building most recently housed and was utilized by an insurance agency. According to the Zoning Map for the Town of Westwood, the Subject Property is located in the Land Business B (LBB) Zoning District.

The Subject Property abuts residentially zoned land to the rear and along both side property lines. There is a “retaining wall” along the rear and north side property lines. On top of the retaining wall is an existing 6-foot-high wooden fence in various stages of disrepair. The existing building is surrounded by an asphalt parking lot (which appears to be void of any striping). There is minimal landscaping on the Subject Property with the pavement less than 5 feet from the property lines. There are currently two curb-cuts utilized to enter and exit the Subject Property. The southernmost curb-cut starts at the side property line and is approximately 30 feet from the centerline of Waldo Way. The northern curb-cut is approximately 41 feet from the

northern side property line and is approximately 154 feet from the centerline of Wentworth Street.

Applicant proposes to renovate (both the exterior and interior) and re-use the existing building. In addition, Applicant proposes to: (1) enclosed the existing exterior porch and incorporate into the interior of the building, and (2) construct an addition to the front left corner of the building which will be utilized as a portion of a new entry/vestibule area (and which will be open to the second floor). Upon completion, the first floor will have a floor area (excluding the vestibule and rear stairwell) of approximately 1,887 gross square feet which will be occupied and used by a beauty salon. Upon completion, the second floor will have a floor area (excluding the vestibule and rear stairwell) of approximately 1,928 gross square feet which will be occupied and used as an office. The unfinished basement will be used only for storage or services incidental to the operation or maintenance of the premises.

Applicant proposes to close the existing southern curb-cut and maintain a single 22-foot-wide curb-cut on the northern side of the Subject Property. This curb-cut will be approximately 138 feet from the centerline of Wentworth Street (and 150 feet from centerline to centerline). Circulation around the building will be one-way (clockwise) via a 12-foot-wide drive aisle. The Project will be served by a parking lot with a total of thirteen (13) parking spaces (inclusive of one (1) ADA compliant/accessible parking space). Nine (9) of the parking spaces shall be 9' x 18' perpendicular spaces and two (2) of the parking spaces shall be 9' x 22' compact parallel spaces. The drive aisle adjacent to 90-degree parking spaces will be 24 feet wide. Applicant will be installing a minimum of 5 feet of landscaping around the perimeter of the parking lot and around the building (except where there are walkways). In addition, Applicant will be installing granite curbing throughout the site, the existing fence on top of the retaining wall will be replaced in-kind, and a new 3-foot-high guardrail will be installed between the parking spaces and the new fence.

II. ZONING ANALYSIS/SPECIAL PERMITS/WAIVERS

As proposed, the Project requires Environmental Impact and Design Review (EIDR) and an EIDR for Earth Material Movement (EMM) approval, from the Westwood Planning Board

pursuant to Section 7.3 of the Westwood Zoning By-Law which provides in pertinent part that the following require such review and approval:

7.3.2.1 Construction, expansion, exterior alteration (exclusive of Signs governed by the provisions of Section 6.2), or change of use of any municipal, institutional, commercial, industrial, or multi-family property.

7.3.2.2 Reconfiguration, restriping or expansion, by three (3) or more parking spaces, of a parking area or facility containing five (5) or more parking spaces.

7.3.2.6 Exporting, importing or regrading on premises subject to Earth Material Movement (EMM), pursuant to Section 7.1 of this bylaw.

In addition, as discussed further below, the Project requires a special permit for a reduction in parking spaces and potentially various other special permits and/or waivers (due to existing nonconforming conditions).

Uses:

Pursuant to the Table of Principal Uses of the Westwood Zoning By-Law, the following uses are allowed as of right in the LLB Zoning District (not intended as an exhaustive listing):

1. Retail sales and services, less than 10,000 sf
2. Restaurant without entertainment, less than 10,000 sf
3. Coffee shop
4. Ice cream Parlor
5. Pet care facility
6. Professional service establishment
7. Business service establishment
8. Office of doctor or dentist
9. Bank or financial institution
10. Personal service establishment

It is noteworthy that the definition of a “personal service establishment” set forth in Section 2 of the Westwood Zoning By-Law specifically includes a “barber or beauty shop”. Therefore, such use is allowed as of right at the Subject Property. Likewise, it appears that the proposed office falls within the definition of “professional service establishment” and/or “business service

establishment” set forth in Section 2 of the Westwood Zoning By-Law. Therefore, such use is also allowed as of right at the Subject Property.

Dimensional Requirements:

The dimensional requirements for the various zoning districts are set forth in Section 5.2 of the Westwood Zoning By-Law. As indicated above, the Subject Property is located in the LBB Zoning District. The Subject Property and the Project satisfy the various dimensional requirements for LBB Zoning District as shown on the following table:

	REQUIRED LBB	EXISTING	PROPOSED	COMPLIANCE
MINIMUM PROJECT AREA	N/A	14,086 SF	14,086 SF	YES
MINIMUM LOT AREA	4,000 SF	14,086 SF	14,086 SF	YES
MINIMUM LOT FRONTAGE	40 FEET	135 FEET	135 FEET	YES
MINIMUM LOT WIDTH	40 FEET	135 FEET	135 FEET	YES
MINIMUM FRONT SETBACK	0	33.1 FEET	30.36 FEET	YES
MINIMUM SIDE YARD SETBACK	15 FEET	21.9/70 FEET	21.8/59.7 FEET	YES
MINIMUM REAR YARD SETBACK	15 FEET	20.4 FEET	20.4 FEET	YES
SPACE BETWEEN BUILDINGS	15 FEET	N/A	N/A	YES
MAXIMUM BUILDING COVERAGE	25%	15%	16.2%	YES
MAXIMUM IMPERVIOUS SURFACE	80%	83.7%	75.2%	YES
MAXIMUM BUILDING HEIGHT	36 FEET	25 FEET	25 FEET	YES

In addition, Section 5.4.1.3 of the Westwood Zoning By-Law provides that the maximum height is 36 feet in the LBB Zoning District. Pursuant Section 2 of the Westwood Zoning By-Law, height is defined and measured as follows:

The vertical distance from grade plane to the average height of the highest roof surface. The limitations of height shall not apply to chimneys, ventilators, skylights, tanks, bulkheads, penthouses, amateur radio antennas and other necessary features usually carried above the roof line, provided such features do not cover more than twenty-five percent (25%) of the area of the roof of the building or other structures and are used in no way for human occupancy.

As shown in the above table, the current building is 25 feet in height and Applicant is not proposing any increases to the same.

Parking:

The minimum parking requirements are set forth in Section 6 and the Table of Parking Requirements of the Westwood Zoning By-Law. Pursuant to said Table of Parking Requirements, the parking required for the Project is as follows:

FIRST FLOOR 1,887 SF – BEAUTY SALON

Personal service establishment (i.e., beauty salon): 1 space/250 sf $1,887 \text{ sf} \div 250 = 7.548$ (rounded to 8 parking spaces)
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SECOND FLOOR 1,928 SF - OFFICE SPACE

Professional Service Establishment, Business Service Establishment: 1 space/333 sf $1,928 \text{ sf} \div 333 = 5.789$ (rounded to 6 parking spaces)

Based upon the above, the Project requires 14 parking spaces. As noted above, Applicant is proposing 13 spaces. Accordingly, Applicant will require a special permit from the parking requirements pursuant to Section 6.1.9 of the Westwood Zoning By-Law which provides:

If an Applicant has obtained all other necessary zoning permits and approvals, the Planning Board may, subject to the provisions of this Section, grant a special permit that would authorize a reduced number of parking spaces than would otherwise be required by this Section where it can be demonstrated by such Applicant that the proposed use does not warrant the number of parking spaces otherwise required.

Applicant submits that the parking lot satisfies the *Automobile Parking Design Standards* adopted June 12, 2018, by the Westwood Planning Board. Specifically, Applicant notes the following:

1. Standard parking spaces are 9' x 18'
2. Compact spaces are 8' x 16'
3. No more than 1/3rd of the parking spaces are compact spaces
4. Drive aisles adjacent to 90-degree parking spaces is 24 feet
5. One-way drive aisle around the building is 12 feet wide

The Project is subject to the following requirements of Section 6.1.19.1 of the Westwood Zoning By-Law (which pursuant to Section 6.1.19.5 of the Westwood Zoning By-Law “the Planning Board may modify or reduce . . . where in its judgment, for topographic or engineering reasons, these requirements could not reasonably be met”).:

6.1.19.1.1 Areas Adjacent to Buildings. Landscaped areas at least five (5) feet in depth shall be provided adjacent to buildings on every side of such buildings that has a public access point, and shall contain trees and shrubs.

Applicant complies with this provision except for walkways adjacent to the building. As shown on the submitted plans there is 5 feet of landscaping adjacent to the building with the exception of areas with walkways. If required for the walkway areas, Applicant requests a modification of this requirement from the Planning Board.

6.1.19.1.2 Perimeter Planting Areas. Parking lots shall be bordered on all sides, exclusive of driveways, with a minimum five (5) foot wide planting area, within which trees shall be spaced not more than twenty-seven (27) feet on center and no tree shall be planted less than two (2) feet on center from curbing or sidewalks. In all cases, plantings shall be located so as not to obstruct vehicle sight distances, entrances and exits.

Applicant complies with this provision. As shown on the submitted plans, the parking lot is bordered on all sides (exclusive of the driveway) with a minimum five (5) foot wide planting area. It should be noted that the Project eliminates the existing nonconformity with this provision.

Furthermore, the Project is subject to and (to the extent possible) complies with the following requirements of Section 6.1.20.1 of the Westwood Zoning By-Law:

6.1.20.1 There shall be no vehicle parking or loading areas within five (5) feet of any front, side or rear lot line.

Applicant complies with this provision. There is no vehicle parking or loading within five (5) feet of any property line. It should be noted that the Project eliminates the existing nonconformity with this provision.

6.1.21 Edge of Parking Area. A substantial bumper of masonry, steel, heavy timber or concrete curb shall be placed at the edge of surfaced areas except driveways in order to protect abutting structures, properties and sidewalks.

Applicant complies with this provision. Granite and/or pre-cast curbing will be provided throughout the site. In addition, the existing 6-foot-high wooden fence along the property lines will be replaced in-kind, and a new 3-foot-high guard-rail will install between the parking spaces and the fence.

6.1.25 Driveways. No access or egress point to a parking area shall be closer than one hundred fifty (150) feet to the centerline of an intersecting street. There shall be no more than a total of two (2) access and two (2) egress points to any one parking area.

As noted above, there is an existing nonconformity with this provision. For this Project, the existing southern curb cut which is approximately 30 feet from the centerline of Waldo Way will be closed/eliminated. The proposed curb-cut on the norther side of the Subject Property has been located so that the distance between the centerline of the curb-cut and the centerline of Wentworth Street is 150 feet (and 138 feet from the closest point of the curb-cut to Wentworth Street).

6.3.2 Buffer Areas in Nonresidential Districts. Where a lot in any Industrial District abuts or is within two hundred (200) feet, or in any Local or Highway Business District where a lot abuts or is within twenty (20) feet, of the boundary line of any Residential District (including any Residential District in an adjacent municipality), unless one of the Principal State Highways (as herein defined) or a railroad right-of-way lies between such lot and such Residential District, a buffer area shall be provided on all portions of said lot so abutting (or within the foregoing specified distance of such Residential District). Such buffer area shall be as follows:

6.3.2.1 in the Industrial Districts, at least two hundred (200) feet wide, including the width of any land held by the Westwood Conservation Commission and any part of any public street (as hereinafter defined) located in such Industrial District and lying between such lot and Residential District; and

6.3.2.2 in the Local Business or Highway Business Districts, at least twenty (20) feet wide.

6.3.4 Uses within Buffer Areas. Buffer areas, except as the same are part of a public street, shall be used only as provided herein. No building or structure, except for fences constructed in accordance herewith, shall be constructed or otherwise placed within any portion of the buffer area, whether or not used for business or industrial purposes. However, in any Industrial District the buffer area may contain driveways, and in a Local Business, Highway Business or Industrial District the buffer area may contain sidewalks or pedestrian paths, as long as the applicable screening requirements set forth in Sections 6.3.4.1 or 6.3.4.2 are achieved to the satisfaction of the Planning Board. The following distances nearest the Residential District boundary shall be used and maintained so as to preserve the natural features of the area, including trees, woods, streams and ponds, and as a planting area for lawns with trees, shrubs and other landscape materials:

6.3.4.2 In the Local Business or Highway Business Districts, twenty (20) feet. A suitable planting area shall be interpreted as requiring a substantially sight impervious screen of evergreen foliage at least eight (8) feet in height, or less dense planting of shrubs and trees complemented by a sight impervious fence at least five (5) feet and not more than eight (8) feet in height. Notwithstanding the foregoing, the plantings within any portion of a buffer area located within eight (8) feet of a public street or any other roadway shall be such as to avoid impairment of traffic visibility.

This provision requires a 20-foot buffer from the residential zone. With respect to the Subject Property, this would require a 20-foot buffer along the side and rear property line (since these property lines are the zoning district boundary line.) As noted above, there is an existing nonconformity with this provision and Applicant is significantly reducing the nonconformity by adding 5 feet of landscaping and replacing the wooden fence along the side and rear property lines. There are no building or structures within the buffer area and Applicant is increasing the amount of landscaping.

6.3.5 Uses Requiring Screening. The following uses of land shall be screened if visible at normal eye level from any point on an abutting lot in a Residential District as set forth herein:

6.3.5.1 Any off-street parking area containing five (5) or more parking spaces and located in or adjacent to a Residential District, and not contained within a structure;

6.3.6.1 Screening shall consist of fencing and/or an area of at least three (3) feet in width of densely planted shrubs or trees which are at least two (2) feet high at the time of planting and are of a type that may be expected to form within three (3) years after planting a year-round, continuous, substantially impervious visual screen.

Applicant complies with this provision. Applicant will be replacing the existing 6-foot-high wooden fence with a new 6-foot-high wooden fence and installing 5-feet of landscaping around the perimeter of the Subject Property.

III. ENVIRONMENTAL IMPACT AND DESIGN STANDARDS

Applicant addresses the various performance and design standards as follows (all references are to the Westwood Zoning By-Law):

7.3.8.1 Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable. Tree and soil removal shall be minimized, and any grade changes shall be consistent with the general appearance of neighboring developed areas. Due regard shall be given to the attractive utilization of the natural features of the area, including trees, woods, streams and ponds. All open areas which cannot be preserved in their natural state shall be replanted as far as practicable with as many trees and plantings as previously existed.

Applicant complies with this standard as follows: Currently, the Subject Property is fully developed with an existing building and an asphalt parking lot and minimal landscaping. The Project will result in an improvement from existing conditions by increasing the amount of open space and landscaping.

7.3.8.2 Relation of Buildings to Environment. The proposed development shall be related harmoniously to the terrain and to the use, scale and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed building. The Planning Board may require a modification in massing so as to reduce the effect of shadows on abutting property, public open space or streets.

Applicant complies with this standard as follows: Currently, the Subject Property is fully developed with an existing building and an asphalt parking lot and minimal landscaping. Applicant will be improving the appearance of the building and the parking lot and increasing landscaping and landscape buffers.

7.3.8.3 Open Space. All open space shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties.

Applicant complies with this standard as follows: Currently, the Subject Property is fully developed with an existing building and an asphalt parking lot and minimal landscaping. Project will result in an improvement from existing conditions by increasing the amount of open space and landscaping.

7.3.8.4 Circulation, Traffic Impact and Alternative Means of Transportation. With respect to vehicular and pedestrian circulation and traffic, including entrances, ramps, walkways, drives and parking, special attention shall be given to location, number and function of access points to the public streets (especially in relation to existing traffic flow, traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, the arrangement, safety and convenience of both vehicle and bicycle parking areas and the effect thereof upon the use and enjoyment of proposed buildings and structures and the neighboring properties, and the traffic impact of the proposed development on nearby public and private streets. Each proposed facility is encouraged to incorporate alternative means of transportation, including bicycle and shuttle bus, and shall make adequate provision for the convenience of vehicular and pedestrian movement within the site in which the facility is to be located, and in relation to nearby streets, property and improvements.

Applicant complies with this standard as follows: Currently, the Subject Property is fully developed with an existing building and an asphalt parking lot with minimal landscaping. The Subject Property is currently served by two cur-cuts. The Project will reduce the number of curb-cuts access points from one to two. The single curb cut will be relocated to increase the off-set distance from Waldo Way. The curb cut and parking aisle have been aligned to provide direct access to the parking area. Bicycle parking will be added to the Subject Property.

7.3.8.5 Stormwater Drainage and Erosion Control. Special attention shall be given to proper site surface drainage (i) so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system and (ii) so as to minimize any

adverse impact upon nearby “downstream” properties. Stormwater shall be removed from all roofs, canopies and paved areas in a manner complying with the stormwater management standards adopted and as amended from time to time by the Massachusetts Department of Environmental Protection. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved area. Erosion and sediment controls must be implemented to prevent any negative impacts during construction or other land disturbance activities. Permanent post-development erosion controls must be implemented and maintained where necessary.

Applicant complies with this standard as follows: Currently, the Subject Property is fully developed with an existing building and an asphalt parking lot with minimal landscaping. The current stormwater management system is outdated. A new stormwater management system will be installed as part of the project. This will result in a reduction of the impacts of stormwater from these present conditions. Sediments and erosion controls will be installed prior to construction. A stormwater report has been prepared detailing all of the Stormwater Best Management Practices to be included with the project. Stormwater on-site has been managed with an on-site stormwater system in accordance with Massachusetts Department of Environmental Protection and Town of Westwood Stormwater Regulations and meets or exceeds all standards.

7.3.8.6 Advertising Features. The size, location, design, color texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

Applicant complies with this standard as follows: All signs for commercial use will follow Section 6.2. There are no proposed signs at this time of submission.

7.3.8.7 Special Features. Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties. All towers, antennas and poles shall be sited, designed and sized to have minimal visual impact on nearby properties.

Applicant complies with this standard as follows: The only exterior storage area is totally enclosed and will be incorporated into the architecture of the building. The Project does not

involve any exposed installations or other utility building. In addition, a full 5-foot landscape buffer and fence will be erected around the side and rear property line.

7.3.8.8 Safety. With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of an accident or attempted criminal act. Traffic to and from any facility shall not cause safety hazards or increased congestion in nearby residential neighborhoods.

Applicant complies with this standard as follows: The site has been designed to facilitate building evacuation, and accessibility by fire, police, and other emergency personnel to the maximum extent practicable

7.3.8.9 Heritage. With respect to the Town's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.

Applicant complies with this standard as follows: There are no historic, traditional or significant uses, structures or architectural elements currently on the Subject Property.

7.3.8.10 Microclimate. With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard-surface ground coverage or the installation of machinery which emits heat, vapor or fumes, shall endeavor to minimize, insofar as practicable, any adverse impact on light, air and water resources or on noise and temperature levels of the immediate environment.

Applicant complies with this standard as follows: HVAC systems will be designed to have controlled visual and noise impact. There will not be any machinery that will have a negative impact on the environment.

7.3.8.11 Energy Efficiency. To the maximum extent reasonably practicable, proposals shall utilize energy-efficient technology and renewable energy resources and shall adhere to the principles of energy-conscious design with regard to orientation, building materials, shading, landscaping and other elements. Efforts shall be made to harmonize energy-related components with the character of the building and its surroundings and to prevent adverse effects on the energy consumption of neighboring structures and on the environment.

Applicant complies with this standard as follows: Applicant will be upgrading the insulation in the building (walls and roof) to comply with the latest energy codes, new windows will be more energy efficient with better U-coefficient and better glazing systems, all lighting will be LED (3000 ± color temperature), building will include conduit and will be solar ready, and energy efficient heat pumps will be installed.

7.3.8.12 Detrimental Effects. No proposed facility shall be detrimental to the health, safety or welfare of persons working or living in the neighborhood, or by reason of danger of fire or explosion, environmental pollution, corrosion, toxic or noxious fumes, gas, smoke, soot, dust, odors, noise or vibrations or other hazards.

Applicant complies with this standard as follows: Currently, the Subject Property is fully developed with an existing building and an asphalt parking lot with minimal landscaping. The Project is making significant improvements to the building and the parking area. The proposed uses be detrimental to the health, safety or welfare of persons working or living in the neighborhood, or by reason of danger of fire or explosion, environmental pollution, corrosion, toxic or noxious fumes, gas, smoke, soot, dust, odors, noise or vibrations or other hazards.

7.3.8.13 Nearby Properties. Nearby properties shall be protected against detrimental uses on the site.

Applicant complies with this standard as follows: Currently, the Subject Property is fully developed with an existing building and an asphalt parking lot with minimal landscaping. The Project is making significant improvements to the building and the parking area. This includes increased landscaping and fencing.

7.3.8.14 Specific Standards for High and Washington Street. Where the nature of the following design features is considered significant to the preservation or enhancement of the desirable visual quality and property values of a particular part of High Street or Washington Street, any new structure or alteration shall be harmoniously related to nearby pre-existing structures and the street facade in terms of color, texture, materials, scale, height, setbacks, roof and cornice lines, signs and design elements such as door and window size and location and door and window detailing, including materials for sills, lintels, frames and thresholds and any other major design elements.

Applicant complies with this standard as follows: Currently, the Subject Property is fully developed with an existing building and an asphalt parking lot with minimal landscaping. The

Project is making significant improvements to the building and the parking area. No new buildings are proposed.

7.3.8.15 Air Quality. Any use whose emissions are such as to cause it to be classified as a major new stationary source of air pollution, as defined by the Environmental Protection Agency (EPA) under the Clean Air Act, and any use required to apply to the Massachusetts Department of Environmental Protection under 310 CMR 7.00 or to EPA under Section 112 of the Clean Air Act for permission to emit asbestos, benzene, beryllium, mercury, vinyl chloride, or radionuclides shall be permitted only upon determination by the Planning Board that compliance with the requirements of those agencies is assured, and that health and safety are adequately protected.

Applicant complies with this standard as follows: No emissions are classified as a source of air pollution and no use or activity requires an air quality permit from MA DEP.

7.3.8.16 Plants and Animals. Location and design shall not cause avoidable damage to wildlife habitats or corridors, or to any plant species listed as endangered, threatened or of special concern by the Massachusetts Natural Heritage Program, or to any tree with more than a twenty-four (24) inch trunk diameter one (1) foot above grade. An application for a MBD special permit must include documentation to the Planning Board of having consulted with the Conservation Commission and the Massachusetts Natural Heritage Program regarding these considerations, and that the proposed site either contains no such habitats or materials, or that all feasible efforts to avoid, minimize or compensate for damage have been reflected in the development proposal.

Applicant complies with this standard as follows: Currently, the Subject Property is fully developed with an existing building and an asphalt parking lot with minimal landscaping. According to the 15th Edition of the Massachusetts Natural Heritage Atlas (effective August 1, 2021) published by the Natural Heritage & Endangered Species Program (NHESP), no areas of Estimated Habitats of Rare Wildlife or Priority Habitat of Rare Species, or Potential or Certified Vernal Pools exist on the subject property.

7.3.8.17 Vibration. Except for blasting and other activities within the jurisdiction of the Board of Fire Prevention Regulations, no use shall be allowed which produces vibration at or beyond the boundaries of the premises exceeding two-thirds (2/3) the frequency/amplitude limitations established by the Board of Fire Prevention Regulations at 527 CMR 13.11 (18) for three (3) minutes or more in any hour between 7:00 am and 9:00 pm or for thirty (30) seconds or more in any hour between 9:00 pm and 7:00 am.

Applicant complies with this standard as follows: Except for short-term construction related activity, there will be no significant vibrations created by this Project.

7.3.8.18 Electrical Disturbances. No EMF emission shall be permitted which adversely affects the operation of any equipment on other properties.

Applicant complies with this standard as follows: The Project does not involve EMF emissions that will adversely affect the operation of any equipment on other properties.

7.3.8.19 Historic and Archaeological Sites. Location and design shall not cause avoidable damage or impairment to the historic or archaeological value of buildings on sites recorded on the Massachusetts Register of Historic Places. An application for a MBD special permit shall submit documentation that either the site does not contain or impact such buildings or sites, or that any potential damage or impairment has been effectively mitigated.

Applicant complies with this standard as follows: Currently, the Subject Property is fully developed with an existing building and an asphalt parking lot with minimal landscaping. The Subject Property does not appear on the Massachusetts Register of Historic Places.

7.3.8.20 Solid Waste. Each development must document arrangements for satisfactory disposal of tree stumps and debris resulting from construction, and must make permanent arrangement for satisfactory on-site storage of refuse pending its removal, such storage to be screened from public view, secure from vermin, birds or other animals, and located to present minimal hazard in the event of fire and minimal threat to water quality in the event of container failure.

Applicant complies with this standard as follows: Currently, the Subject Property is fully developed with an existing building and an asphalt parking lot with minimal landscaping. Removal of tree stumps is not anticipated. Proper arrangements will be made for the disposal of any construction related debris and material and if stored on site prior to such disposal, the same will be properly screened.

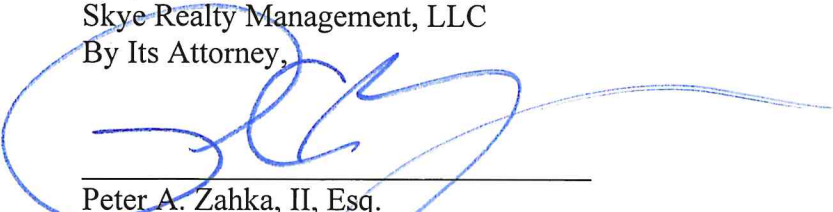
7.3.8.21 Water Quality. Any development subject to review pursuant to this Section which involves a use prohibited or requiring a special permit in a Water Resource Protection Overlay District pursuant to Section 9.3 may be allowed if such development is located outside of the Water Resource Protection Overlay District and if the material regulated is less than twenty (20) gallons liquid or less than one hundred fifty (150) pounds dry weight. If exceeding those limits the use shall be allowed only if the Planning Board, in its review of the application pursuant to this Section, determines that the Applicant has documented that adequate safeguards for protecting the integrity of groundwater quality have been assured. Any development subject to review pursuant to this Section which involves a use prohibited or requiring a special permit under Section 9.3 and is located within a Water Resource Protection Overlay District may be allowed if such development has been granted a special permit pursuant to the provisions of Section 9.3.

Applicant complies with this standard as follows: Not applicable. The development is not in a Water Resource Overlay Protection District.

Special Permits and Waivers Requested:

1. Special permit from Section 6 and the Table of Parking requirements to allow the Subject Property to be served by 13 parking spaces instead of the required 14 parking spaces.
2. Waiver from Section 6.1.19.1 and 6.1.19.2 of the Westwood Zoning By-Law to allow the Project to have landscaped area of less than five (5) feet in depth adjacent to the buildings (in the areas shown as walkways).
3. Waiver of the submission of an Exterior Lighting Plan required under Section 7.3.7.2 of the Westwood Zoning By-Law.
4. Waiver of as full Traffic Study required under Section 7.3.7.3 of Westwood Zoning By-Law and allow the submission traffic impact analysis.
5. Special permit and/or waiver to Section 6.1.25 of the Westwood Zoning By-Law to allow the centerline of an access or egress point to a parking area to be 150 feet from centerline of an intersecting street with the closest point of said access or egress point to a centerline of such street to be 138 feet.
6. Special permit and/or waiver to Section 6.3.2 and 6.3.4.2 of the Westwood Zoning By-Law to allow a reduction of the 20-foot landscape buffer from a residential zone (the continuation and reduction of a pre-existing nonconforming condition).
7. Waiver of the Model required under Section 7.3.7.7 of the Westwood Zoning By-Law.

Respectfully submitted,
Skye Realty Management, LLC
By Its Attorney,



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