

**TOWN OF WESTWOOD**  
COMMONWEALTH of MASSACHUSETTS

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**PLANNING BOARD**

**MINOR MODIFICATION OF  
LIMITED ENVIRONMENTAL IMPACT AND DESIGN REVIEW (EIDR) APPROVAL  
EARTH MATERIAL MOVEMENT (EMM) APPROVAL  
790 Gay Street – Hanlon Elementary School Building Project  
April 12, 2022**

**APPLICANT:** Westwood Public School District  
220 Nahatan Street  
Dedham, MA 02026

**PROPERTY OWNER:** Town of Westwood  
580 High Street  
Westwood, MA 02090

**PROPERTY LOCUS:** 790 Gay Street  
Westwood, MA 02090  
Assessor's Map 16, Lot 005  
&  
A portion of an undeveloped lot  
behind the existing building known as  
Assessor's Map 16, Lot 437

**BACKGROUND AND PROJECT SUMMARY**

The Planning Board granted Limited Environmental Impact & Design Review Approval and Earth Material Movement (EMM) Approval on December 14 2021, for the demolition of the existing Hanlon Elementary School Building and the construction of a new elementary school. The project includes a new building, parking lots, access roads and walkways, a soccer field, a little league baseball field, outdoor classrooms, playground area, drainage improvements, and landscaping. Stormwater runoff will be mitigated by catch basins, manholes and pips to capture and convey runoff to surface and subsurface infiltration and bio-retention basins. The school will be serviced by municipal water and sewer.

The Applicant filed a request for Minor Modifications to the EIDR/EMM Approval on April 8, 2022, including a reduction in the size of the previously proposed STEM Porch, located outside the library, art and music rooms; a reduction in paving associated with the outdoor classroom area, converting approximately 1,000 sf of concrete and bituminous pavement and stonewall to lawn/grass; elimination of the walkway canopy (which will be included in the bid package as an Alternate); change in pavement material of sections of sidewalk from concrete to asphalt; elimination of proposed shrubs and plantings

around the playground areas, to the west and north of the fire access lane, and replacement with wildlife seed mix; and removal of two chambers from the subsurface infiltration system.

The front portion of the property at 790 Gay Street where the fields, parking, and access roads are proposed is located in Single Residence A (SRA) and Wireless Communications Overlay District (WCOD) zoning district and the rear portion where the new building and playground area is proposed on Assessor's Map 16, Lot 437 is in the Single Resident E (SRE) zoning districts.

The proposed new elementary school is considered an exempt use under M.G.L. Chapter 40A, Section 3 and thus subject to a Limited Environmental Impact and Design Review (EIDR), pursuant to Section 7.3.3 of the Westwood Zoning Bylaw. The associated earth work includes importing over 200 cubic yards of fill and finished elevations of 5 feet or more above the surrounding undisturbed grades, which is subject to an Earth Material Movement (EMM) EIDR approval pursuant to Section 7.1 of the 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 meeting, 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 April 8, 2022, an application for Minor Modification of the previously issued Limited EIDR Approval was filed by Roberto Fitzgerald on behalf of Westwood Public School District, pursuant to Section 7.3.3 [Limited Environmental Impact and Design Review] and Section 7.1 [Earth Material Movement] of the Westwood Zoning Bylaw with the Westwood Planning Board and the Westwood Town Clerk (hereinafter "Application").
2. 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, Town Engineer, Historical Commission, and Pedestrian and Bicycle Safety Committee on April 8, 2022.
3. The Planning Board considered the Application at a duly noticed public meeting on April 12, 2022, which meeting was conducted 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) and extended on June 16, 2021 through April 1, 2022, and further extended on February 15, 2022 through July 15, 2022.
4. 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.

5. Westwood Planning Board Members David L. Atkins, Jr., Christopher A. Pfaff, Kathleen Wynne, Ellen Larkin Rollings, and Thomas P. McCusker deliberated on the Application at a duly authorized meeting on April 12, 2022.

## PROJECT FINDINGS:

1. The subject property consists of approximately 8.59 acres located at 790 Gay Street and is shown as Map 16 Lot 005 and the new building is on a portion of 37.46-acre undeveloped land directly behind the current school building known as Map 16, Lot 437 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property"). The new Elementary School Building and associated uses consists of ~19 acres of the 44.2 acres of the two parcels.
2. Presently, the project site at 790 Gay Street contains the Hanlon Elementary School building, parking, access roads, sidewalks, ballfield, playground area, and basketball court. The Town own lot in the rear is undeveloped and commonly referred to as the Shuttleworth property.
3. The Planning Board granted Limited Environmental Impact & Design Review Approval and Earth Material Movement (EMM) Approval on December 14 2021, for the demolition of the existing Hanlon Elementary School Building and the construction of a new elementary school, including a new building, parking lots, access roads and walkways, a soccer field, a little league baseball field, outdoor classrooms, playground area, drainage, and landscaping.
4. The Applicant now proposes modifications to the approved plans for the new elementary school, including a reduction in the size of the previously proposed STEM Porch, located outside the library, art and music rooms; a reduction in paving associated with the outdoor classroom area, converting approximately 1,000 sf of concrete and bituminous pavement and stonewall to lawn/grass; elimination of the walkway canopy (which will be included in the bid package as an Alternate); change in pavement material of sections of sidewalk from concrete to asphalt; elimination of proposed shrubs and plantings around the playground areas, to the west and north of the fire access lane, and replacement with wildlife seed mix; and removal of two chambers from the subsurface infiltration system..
5. The front portion of the property at 790 Gay Street is located in Single Residence A (SRA) and Wireless Communication Overlay District (WCOD) and the rear portion is located in the Single Resident E (SRE) zoning districts. The proposed new elementary school is considered an exempt use under M.G.L. Chapter 40A, Section 3, of the Zoning Bylaw and subject to a Limited Environmental Impact and Design Review (EIDR), pursuant to Section 7.3.3 of the Westwood Zoning Bylaw. The associated earth work includes importing over 200 cubic yards of fill and finished elevations of 5 feet or more above the surrounding undisturbed grades, which is subject to an Earth Material Movement (EMM) EIDR approval pursuant to Section 7.1 of the Zoning Bylaw.
6. The increased peak discharge rates continue to represent a reduction compared to pre-development conditions.
7. The proposed modifications include the removal of numerous shrubs and plantings previously proposed on the western side of the Site. These plantings are not anticipated to significantly impact the Site's screening and they are adjacent to existing woodlands to remain.

8. The proposed modifications constitute Minor Modifications to the Project.
9. 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 7.3.8 of the Westwood Zoning Bylaw.

### APPLICATION AND PLANS

The Planning Board evaluated the Application filed by or on behalf of the Applicants in the Planning Office and the Office of the Town Clerk on April 8, 2022 through the close of discussion at the public meeting on April 12, 2022. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Minor Modification Application and project description, submitted by Robert Fitzgerald of Dore and Whittier Architects on April 8, 2022.
2. Memorandum from Roberto Fitzgerald, Project Manager, Dore & Whittier Architects Inc., 260 Merrimack Street, Building 7, 2nd Floor, Newburyport, MA 01950, to Westwood Land Use Committee, re: Summary of Modifications to site plan, Hanlon-Deerfield Elementary School Project, Project Number: 19-0798, dated April 6, 2022, consisting of one (1) page.
3. Civil Landscape Plans titled “Hanlon Elementary School, Project Number 19-0798”, prepared by Dore & Whittier Architects Inc., 260 Merrimack Street, Building 7, 2<sup>nd</sup> Floor, Newburyport, MA 01950, dated August 19, 2021 and revised through December 2, 2021, consisting of twenty-one (21) sheets.
4. Key Plan titled “Hanlon Elementary School, Project Number 19-0798, Overall Site Plan”, sheet L0.01, prepared by Dore & Whittier Architects Inc., 260 Merrimack Street, Building 7, 2nd Floor, Newburyport, MA 01950, dated December 10, 2021, consisting of one (1) sheet.
5. Modified Planting Plan titled “Hanlon Elementary School, Project Number 19-0798, Planting Plan 1”, sheet L3.01, prepared by Dore & Whittier Architects Inc., 260 Merrimack Street, Building 7, 2nd Floor, Newburyport, MA 01950, dated March 28, 2022, consisting of one (1) sheet.
6. Modified Sidewalk Plan titled “Hanlon Elementary School, Project Number 19-0798, Overall Site Plan”, sheet L0.01, prepared by Dore & Whittier Architects Inc., 260 Merrimack Street, Building 7, 2nd Floor, Newburyport, MA 01950, dated February 18, 2022, consisting of one (1) sheet.
7. Plan set titled “Value Engineering Revisions to Hanlon School Project STEM Porch, Outdoor Classroom, Walkway Canopy”, prepared by Dore & Whittier Architects Inc., 260 Merrimack Street, Building 7, 2nd Floor, Newburyport, MA 01950, dated April 6, 2022, consisting of three (3) sheets.
8. Stormwater Report titled “Stormwater Report Paul R. Hanlon Elementary School, Westwood, MA”, prepared by Nitsch Engineering, Inc., 2 Center Plaza, Suite 430, Boston, MA 02143, dated August 19, 2021 and revised through December 2, 2021, consisting of four hundred and seven (407) pages.

9. Report titled, “Updated Subsurface Evaluation for Stormwater, Hanlon Elementary School 790 Gay Street, Westwood, Massachusetts”, prepared by Sanborn Head & Associates, Inc., 1 Technology Park Drive, Westford, MA 01886, dated November 17, 2021, consisting of thirty-eight (38) pages.
10. Memorandum from BETA Group, Philip F Paradis, Jr., PE, LEED AP, CPSWQ, and Stephen Borgatti, PE, MENG, re: 790 Gay Street Environmental Impact and Design Review Update, dated April 11, 2022, consisting of 2 pages.

### **DECISION:**

On April 12, 2022, the Planning Board evaluated the Application in relation to the above Findings, and as the approving authority, by a vote of five (5) in favor and none (0) opposed on a roll call vote, hereby *grants* a Minor Modification of the Limited Environmental Impact and Design Review (EIDR) and Earth Material Movement Approval pursuant to Sections 7.1 and 7.3 of the Westwood Zoning Bylaw for the Project as described above and in the application therefor filed in the office of the Planning Board and the Town Clerk on April 8, 2022 and all material submitted through the close of discussion at the public meeting on April 12, 2022, subject to the Conditions stated herein, all of which are an integral part hereof:

### **CONDITIONS OF APPROVAL:**

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. 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. All conditions of the original EIDR-EMM Approval shall remain in full force and effect. (Said conditions have been updated accordingly and repeated below for convenience.)
3. The Applicant shall submit proof of recording at the Norfolk Registry of Deeds of an Approval Not Required (ANR) Plan to combine the Town’s 37.46-acre parcel known as the Shuttleworth Property (Assessor’s Map 16, Lot 437) with the School District’s 8.59-acre property at 790 Gay Street known as the Paul R. Hanlon Elementary School (Assessor’s Map 16, Lot 5), in order to create a single 46.05-acre parcel with 996.08’ of frontage on Gay Street. Said proof of recording the ANR Plan shall be submitted to the Town Planner prior to issuance of any building permits for the Elementary School Project.
4. A complete set of revised civil site plans, prepared by Dore and Whittier, titled “Westwood Hanlon Elementary School” shall be further revised to show all approved plan modifications, and to include the following:
  - a) Provide zoning table (GS in BETA’s December 9, 2021 review memorandum).

- b) Add note that no hazardous material shall be used on site (BETA, 12/9/21 G5).
- c) Include the construction hours (Condition#10 below).
- d) Revise outfall 3 and Bio-retention Basin 2 (BETA, 12/9/21 SW3).
- e) Provide detail for proposed curb inlet discharging to Bio-retention B-1 and BMP treatment (BETA, 12/9/21 SW6).
- f) Relocate level barrier to be downstream (BETA, 12/9/21 SW7).
- g) Revise invert elevations for Pond B-2 (BETA, 12/9/21 SW26).
- h) Update sheet C-2 side stone detail (BETA, 12/9/21 SW28).
- i) Show the test pit locations on the plan (BETA, 12/9/21 SW33).
- j) Clarify location of subsurface infiltration system C-7 and provide schematic of its revised layout (BETA, 4/11/22 SW1).

Said revised plan set shall be submitted to the Town Planner, BETA Group, and Conservation Agent for review, and approval prior to issuance of any building permits for the Elementary School Project

- 5. Applicant shall continue to designate Gay Street as a School Zone under State and local statute and install the appropriate School Zone signs.
- 6. Applicant shall submit a final signed SWPPP (Stormwater Pollution Prevention Plan) to the Town Planner, Conservation Agent, and BETA Group for review and approval before any land disturbance begins.
- 7. Applicant shall provide a final construction sequencing plan to the Town Planner, BETA Group, Public Works Director, and Building Commissioner for review and approval prior to any site work beginning.
- 8. All accessible detectable warning surface pads shall be yellow to be consistent with other locations in town.
- 9. The existing pavement on Gay Street shall be protected from damage from loading and unloading of material and/or equipment related to the proposed construction.
- 10. The crushed stone entrance shall be replaced when the stone becomes clogged with dirt or is no longer effective in preventing excess tracking of material onto the public way.
- 11. Project-related construction and earth material movement shall comply with the Town's General Bylaws Chapter 292, for Noise and Construction, and such work shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Saturday and between 12:00 p.m. and 7:00 p.m. on Sundays.
- 12. All fill imported to the project site shall be clean and not contain any hazardous materials. Prior to bringing any fill on the premises, Applicant shall submit certification from a soil testing company or company supplying the fill confirming that soil contains no hazardous materials.
- 13. Construction vehicles and trucks carrying earth/fill to and from the project site shall access the Project from Gay Street via Route 1A/Washington Street or High Street/Route 109 only and shall not travel down other neighborhood roads. Construction vehicles are prohibited from traveling



- down Fox Hill Street, Milk Street, Pine Lane, Croft Regis Road, Schaefer Avenue, and School Street.
14. Exterior lights other than security lighting shall be turned off one (1) hour after activity or use ends.
  15. The school department shall provide personnel at the onsite crosswalks as needed for student safety.
  16. The dumpster gates shall remain closed at all times and the enclosure shall be continuously maintained in good condition. The dumpster shall be located on a concrete pad and comply with Westwood Board of Health Regulations.
  17. 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 Applicant 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.
  18. A final As-Built Plan shall be submitted in PDF and AutoCAD format to the Town Planner prior the issuance of a Certificate of Occupancy. The As-Built Plan shall show all structures, parking spaces, any easements, walkways, landscaping, drainage, underground utilities, landscaping, pavement markings, site features, and utilities.
  19. If the Project, or any Condition imposed in this Decision, requires permit, license, or other approval from any other board, committee, or 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. For example, Applicant is responsible for filing with the Conservation Commission and a blasting permit from the Fire Department. 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 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.
  20. This EIDR Approval shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within two (2) years following the grant thereof. The Planning Board may extend such approval, for good cause, upon the written request of the Applicant. In the case of the EIDR Approval, the term “substantial use thereof or construction thereunder” shall mean the commencement and substantial progress of the approved activity.
  21. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.
  22. Any alterations, modifications, deletions or changes to the EIDR Approval shall be requested in writing to the Town Planner prior to implementation. Changes considered de minimis by the Building Commissioner may be accepted as a note to the file, changes considered minor by the Building Commissioner pursuant to Section 7.3 of the Zoning Bylaw may be required to file an Administrative EIDR pursuant to Section 7.3.6 of the Zoning Bylaw or return to the Planning Board as a request for a Minor Modification at a publically posted Planning Board meeting. Alterations determined to be major by the Building Commissioner or the Planning Board, shall return to the

Planning Board as a formal request for Amendment and will require a new public hearing with the Planning Board.

### RECORD OF VOTE

The following members of the Planning Board voted on April 12, 2020 to grant a Minor Modification of the previously granted Limited Environmental Impact & Design Review (EIDR) Approval pursuant for the abovementioned Application, subject to the Conditions stated above: Christopher A. Pfaff, David L. Atkins, Thomas P. McCusker, Ellen Larkin Rollings, and Kathleen Wynne.

The following members of the Planning Board voted to deny a Minor Modification of the previously granted Limited Environmental Impact & Design Review (EIDR) Approval for the abovementioned Application: None.



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Nora Loughnane  
Director of Community & Economic Development  
June 6, 2022