

**Westwood Planning Board Minutes**  
**Tuesday October 25, 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 included an extension of the remote meeting provisions of his March 12, 2020, Executive Order thru July 15, 2022. Governor Baker signed a further extension of that order on July 15, 2022, running through March 31, 2023. The October 25, 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 7:01pm. 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](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, Ellen Larkin Rollings, Kathleen Wynne, Joshua C. Ames and Philip M. Giordano. Staff members present: Nora Loughnane, Director of Community & Economic Development, Pat Ahearn, Town Counsel and Jessica Cole, who recorded the meeting minutes.

**Public Hearing for Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Application for Proposed Gas Station/Convenience Store Redevelopment – 394 & 396 Providence Highway. Continuation of Public Hearing for Environmental Impact & Design Review (EIDR) of Proposed Gas Station/Convenience Store Redevelopment – 394 & 396 Providence Highway (continued from 9/20/22)**

Mr. Pfaff opened up the hearing and then reopened the Environmental Impact and Design Review of Proposed Gas station/Convenience Store Redevelopment -394 & 396 Providence Highway from 9/20/2022. The Planning Board combined both items.

Michael Brown was present and believes that all issues have been addressed and is looking for site approval.

Ms. Loughnane reminded the Planning Board of where we were.

Heard the application of the Earth Material Movement. A small amount of earth material is needed on the site.

Gregg Burnett was present to discuss the material to be moved on and off the site. Demo and redevelopment of the site.

Stephen Borgatti from BETA was present to discuss a few minor comments. Most importantly, more detail is needed on the plan.

**Board Comments:**

None

**Public Comments:**

Ms. Fusco, 20 Pine Lane typed in chat: Why isn't it mandated that solar be a condition? *Ms. Loughnane: It can only be encouraged not mandated.*

**Action Taken:**

Proposed Motion for Waivers for both applications:

Ms. Wynne moved that the Planning Board grant the following waivers in association with the application for Environmental Impact & Design Review (EIDR) Approval, including consolidated Earth Material Movement (EMM) Approval, for the Colbea Shell Station and Season's Market Redevelopment Project, as described in the Applications therefore submitted to the Planning Board and filed in the Office of the Town Clerk on May 10, 2022, and September 20, 2022:

1. Waiver of minimum width of drive aisle on west side of fuel dispenser canopy from twenty-four feet (24') pursuant to Section 1.1.4 of the Planning Board's Automobile Parking Design Standards to a minimum of twenty feet (20');
2. Waiver of construction standards pursuant to Section 1.3.1 of the Planning Board's Automobile Parking Design Standards to allow concrete paving under the fuel dispenser canopy and in front of the convenience store rather

than the three-inch (3") thick binder course and two-inch (2") thick top course of bituminous asphalt that would otherwise be required;

3. Waiver of requirement for five foot (5') landscaped area in front of the convenience store pursuant to Section 6.1.19.1.1 of the Zoning Bylaw to allow no landscaping of any kind in front of convenience store;
4. Waiver of construction standards to allow limited coverage over drainage pipes as shown on submitted site plans in the western and southern portions of the Property due to shallow depth to groundwater, rather than require the minimum two and one-half feet (2.5') of cover required pursuant to Section 11.A.27 of Westwood's Stormwater Management Regulations
5. Waiver of maximum light level requirements to permit high light levels shown on the submitted photometric plan to exceed the 10-foot-candle maximum average light level and 25-foot-candle maximum under-canopy light level requirements pursuant to Section 6.4.10 of the Zoning Bylaw;
6. Waiver of maximum light trespass requirements pursuant to Section 6.4.11 of the Zoning Bylaw to permit light levels shown on submitted photometric plan for light trespass onto Town-owned land behind convenience store; and
7. Waiver of Presentation Model required pursuant to Section 7.3.7.7 of the Zoning Bylaw.

Mr. Giordano seconded the motion.

Roll Call Vote:

Ellen Larkin Rollings-Yes  
Kathleen Wynne-Yes  
Joshua C. Ames-Yes  
Philip M. Giordano-Yes  
Christopher A. Pfaff-Yes

Proposed Motion for EMM/EIDR Approval for both applications:

Mr. Ames moved that the Planning Board Environmental Impact & Design Review (EIDR) Approval, including consolidated Earth Material Movement (EMM) Approval, for the Colbea Shell Station and Season's Market Redevelopment Project, as described in the Applications therefore submitted to the Planning Board and filed in the Office of the Town Clerk on May 10, 2022, and September 20, 2022, subject to the following conditions:

1. Except as modified by the conditions and findings hereof, the Project shall comply with the Project Plans, in all respects, and the Applicant shall pursue completion of the project with reasonable diligence and continuity.
2. No Building Permit shall be issued unless and until the rezoning of the Subject Property to Highway Business (HB) District, as voted at the May 2, 2022 Town Meeting, is approved by the Attorney General's Office, posted by Constable, and deemed effective pursuant to MGL Chapter 40A, Section 5.
3. The Applicant shall obtain an Order of Conditions from the Westwood Conservation Commission pursuant to the Wetlands Protection Act and the Westwood Wetlands Bylaw prior to the issuance of any Building Permit for the Project, and the conditions of said approval shall be incorporated as conditions of this EIDR and EMM Approval.
4. The Applicant shall obtain a Special Permit from the Westwood Zoning Board of Appeals for Motor Vehicles Light Service pursuant to Section 4.1.5.10 of the Westwood Zoning Bylaw; a Special Permit for Fast Food Establishment pursuant to Section 4.1.5.15 of the Zoning Bylaw; a Special Permit for a Retail Establishment less than 10,000 SF pursuant to Section 4.1.5.6 of the Zoning Bylaw; a Special Permit for Drive-through Service pursuant to Section 4.1.7.3 of the Zoning Bylaw; a Special Permit to allow access to and/or egress from the southwestern driveway from Providence Highway to be located less than 150 feet from Walper Street; and a Special Permit pursuant to Section 6.2.15 of the Zoning Bylaw for all proposed signs exceeding the number and/or sign area limitations applicable to signs in the Highway Business (HB) District. All Zoning Board of Appeals Special Permits shall be obtained prior to the issuance of any Building Permit for the Project and the conditions of said approval shall be incorporated as conditions of this EIDR EMM Approval.

5. The Applicant shall obtain a license from the Westwood Select Board for continued use of a portion of Town-owned property immediately adjacent to the Subject Property prior to the issuance of any Building Permit for the Project.
6. The Applicant shall obtain all required curb-cut permits from the Massachusetts Department of Transportation and/or the Westwood Department of Public Works prior to the issuance of any Building Permit for the Project.
7. The Applicant shall coordinate details regarding the proposed relocation of the existing fire hydrant with Dedham-Westwood Water District representatives. The proposed relocation of the hydrant shall be performed by the Dedham-Westwood Water District or its agents at the Applicant's sole expense.
8. If the Project, or any Condition imposed in this Decision, requires any other permit, license, or other approval from any board or commission, 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 and shall obtain all required approvals prior to the start of any work. 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.
9. Any alterations, modifications, deletions or changes to the EIDR and EMM Approval shall be requested in writing to the Town Planner and Building Commissioner prior to implementation. Proposed alterations which are considered de minimis by the Building Commissioner may be accepted as a note to the file. Proposed alterations which are considered minor by the Building Commissioner pursuant to Section 7.3 of the Zoning Bylaw shall be considered through the filing of an Administrative EIDR and EMM Application, pursuant to Section 7.3.6 of the Zoning Bylaw or through the filing of an Application of Minor Modification of EIDR and EMM Approval for review by the Planning Board at a publicly posted Planning Board meeting. Proposed alterations which are determined to be major by the Building Commissioner or by the Planning Board, shall be considered by the Planning Board as a formal Amendment to the EIDR and EMM Approval and will require a new public hearing before the Planning Board.
10. The Applicant shall submit a fully revised set of site plans and updated Operations & Maintenance Plan addressing all remaining comments in the Memorandum from Philip F. Paradis, Jr., PE, of BETA Group, Inc. to Town of Westwood Planning Board dated September 20, 2022.
11. The Applicant shall submit a StormWater Pollution Prevention Plan (SWPPP) for review and approval by the Town Planner and Consulting Town Engineer prior to the issuance of a Building Permit for the Project.
12. The Applicant shall obtain In-situ Saturated Hydraulic Conductivity Testing in accordance with Section 11.A.15 of Westwood's Stormwater Management Regulations prior to any construction activity on the Property.
13. All work related to the removal and/or installation of fuel storage tanks, associated piping, and surrounding earth material shall be overseen by a Licensed Soil Professional.
14. The Applicant shall submit copies of any environmental assessments performed onsite in relation to chemicals identified in soils and/or groundwater.
15. All trucks carrying earth material to or from 394-396 Providence Highway shall be required to access the Property via northbound Providence Highway and Walper Street; and all such trucks shall be required to travel from the site by proceeding west on Walper Street and north on Providence Highway. No trucks associated with the Project shall be permitted to travel on any other non-arterial road in Westwood.
16. Any trucks delivering or removing materials shall be covered as to prevent said material from spilling onto the public roadway and any spilled material shall be cleaned from Walper Street, Providence Highway, and any other roadways traveled in the transport of earth material to and from the site.
17. The existing pavement Walper Street and Providence Highway shall be protected from damage from loading and unloading of material and/or equipment related to the proposed construction.

18. There shall be no substandard or hazardous fill material used with this Project. Prior to the import of any earth material, the Applicant shall submit certification to the Town Planner and Building Commissioner from the company providing said material, stating that the material does not contain any hazardous material.
19. All Project-related construction activities, including but not limited to tree removal, earth material movement, removal and installation of underground storage tanks and associated piping, paving, utility work, foundation work, and vertical construction activity, shall comply with the timeframes set forth in the Town's General Bylaws Chapter 292, for Noise and Construction, which allow such work Monday through Saturday between the hours of 7:00 a.m. and 7:00 p.m., and Sunday between the hours of 12:00 p.m. and 7:00 p.m.
20. The Applicant shall promptly repair any damage which the Applicant or its agents cause to sidewalks, street pavement, signs, or other fixtures or features within the public right-of-way, after first obtaining permission from the Town Department of Public Works or Massachusetts Department of Public Works. Such repairs shall be performed to Town of Westwood or MassDOT standards, as appropriate.
21. All landscaping approved herein shall be installed at the earliest possible date, but only during the spring growing season running from April 15 thru June 15 or during the fall growing season running from September 15 thru November 15. Any plantings that do not survive shall be replaced in-kind in perpetuity at the Property Owner's expense.
22. The Applicant shall submit As-Built plans at the conclusion of construction, which shall indicate the location of all new underground storage tanks and piping, and all other underground storage tanks, pipes and/or appurtenances which remain on the site, prior to the issuance of a Certificate of Occupancy for the Property. The As-Built plans shall be delivered in a format approved by the Information Systems Director for compatibility with the Town of Westwood GIS database.
23. The Applicant shall prepare and submit an Illicit Discharge Compliance Statement for the Project prior to the Issuance of a Certificate of Occupancy for the Project.
24. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.
25. This EIDR and EMM 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 this Approval, the term "substantial use thereof or construction thereunder" shall mean the commencement and substantial continued progress of the approved activity.

Ms. Wynne seconded the motion.

Roll Call Vote:  
 Ellen Larkin Rollings-Yes  
 Kathleen Wynne-Yes  
 Joshua C. Ames-Yes  
 Philip M. Giordano-Yes  
 Christopher A. Pfaff-Yes

Upon a motion made by Mr. Ames and seconded by Mr. Giordano, the Planning Board voted in favor (5-0) via roll call vote to close both public hearings for Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Application for Proposed Gas Station/Convenience Store Redevelopment – 394 & 396 Providence Highway and Environmental Impact & Design Review (EIDR) of Proposed Gas Station/Convenience Store Redevelopment – 394 & 396 Providence Highway.

Discussion:

Ms. Wynne made a friendly amendment to close both hearings. Mr. Giordano seconded the amendment.

Roll Call Vote:  
 Ellen Larkin Rollings-Yes  
 Kathleen Wynne-Yes  
 Joshua C. Ames-Yes  
 Philip M. Giordano-Yes  
 Christopher A. Pfaff-Yes

**Public Hearing for Consideration of Environmental Impact & Design Review (EIDR) Application and Waiver or Special Permit for Reduction of Minimum Number of Required Parking Spaces – 911-929 High Street. Dumpster Enclosure?**

Vincent Michienzi, Installing a dumpster enclosure to meet Town requirements in the back of the building. It will be 10 x 24 feet long constructed of concrete with wooden doors for 2 sets of dumpsters. Going from 4 dumpsters to 2, using less space. Ms. Loughnane stated that it will be an improvement to the site.

Board Comments:  
None.

Public Comments:  
None.

Action Taken:  
Proposed Motion for Waivers:

Ms. Wynne moved that the Planning Board grant the following waivers in association with the Application for Environmental Impact & Design Review (EIDR) Approval, for the Proposed Dumpster Enclosure at Michienzi Plaza, 911-929 High Street, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on September 15, 2022:

1. Waiver to reduce the number of required joint/shared onsite parking spaces pursuant to Section 6.1.12 of the Zoning Bylaw;
2. Waiver of Storm drainage plans and calculations 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.

Mr. Ames seconded the motion.

Roll Call Vote:  
Ellen Larkin Rollings-Yes  
Kathleen Wynne-Yes  
Joshua C. Ames-Yes  
Philip M. Giordano-Yes  
Christopher A. Pfaff-Yes

Proposed Motion for EIDR Approval:

Ms. Rollings moved that the Planning Board grant Environmental Impact & Design Review (EIDR) Approval for the Proposed Dumpster Enclosure at Michienzi Plaza, 911-929 High Street, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on September 15, 2022, subject to the following conditions:

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. Each dumpster shall have an impermeable lid or cover integral to the dumpster.
3. Gates to the Dumpster Enclosure shall be closed and fastened at all times other than when active loading or unloading of dumpsters is taking place.
4. Trash removal shall be scheduled 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, 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 and shall obtain all required approvals prior to the start of any work. 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. Any alterations, modifications, deletions or changes to the EIDR Approval shall be requested in writing to the Town Planner and Building Commissioner prior to implementation. Proposed alterations which are considered de minimis by the Building Commissioner may be accepted as a note to the file. Proposed alterations which are considered minor by the Building Commissioner pursuant to Section 7.3 of the Zoning Bylaw shall be considered through the filing of an Administrative EIDR Application, pursuant to Section 7.3.6 of the Zoning Bylaw or through the filing of an Application of Minor Modification of EIDR Approval for review by the Planning Board at a publicly posted Planning Board meeting. Proposed alterations which are determined to be major by the Building Commissioner or by the Planning Board, shall be considered by the Planning Board as a formal Amendment to the EIDR Approval and will require a new public hearing before the Planning Board.
7. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.
8. 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 this Approval, the term "substantial use thereof or construction thereunder" shall mean the commencement and substantial continued progress of the approved activity.

Ms. Wynne seconded the motion.

Roll Call Vote:  
 Ellen Larkin Rollings-Yes  
 Kathleen Wynne-Yes  
 Joshua C. Ames-Yes  
 Philip M. Giordano-Yes  
 Christopher A. Pfaff-Yes

Upon a motion made by Mr. Giordano and seconded by Ms. Rollings, the Planning Board voted in favor (5-0) via roll call vote to close the public hearing for Consideration of Environmental Impact & Design Review (EIDR) Application and Waiver or Special Permit for Reduction of Minimum Number of Required Parking Spaces – 911-929 High Street.

**Public Hearing for Consideration of Modifications to Environmental Impact & Design Review Approval for SLD Building – 240 University Avenue.**

David Kelley of Meridian Associates was present to discuss some modifications to the project that include installing a new overhead door, adding plantings, and removing bike racks.

Board Comments:

- Eliminating a ramp? ADA access is not required anymore. *The spaces will remain Handicapped parking spots and can access the front door.*
- Landscaping elements that were not installed, why weren't they done? *Mr. Kelley did not know why it was not done.*
- Moving bike racks? *Mr. Kelley: They will be shifted over to the left on concrete.*
- Will the assault be flush to the concrete? *Mr. Kelley: Yes.*
- When was the building constructed? Is there PCB in the calking, has it been tested? *Mr. Kelley: He is not sure.*
- Currently a warehouse, and intended future use. *Mr. Panasuk: The building is being used privately and has no trigger to upgrade. No need for a code compliant ramp. Future changes would have to go before the Planning Board. The building is owner occupied.*

Public Comments:  
 None.

Proposed Motion for Waivers:

Ms. Wynne moved that the Planning Board grant the following waivers in association with the Application for Environmental Impact & Design Review (EIDR) Approval, for the Proposed Building and Site Alterations at 240 University Avenue, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on September 19, 2022:

1. Waiver of Storm drainage plans and calculations required pursuant to Section 7.3.7.1.6 of the Zoning Bylaw;
2. Waiver of Exterior Lighting Plan required pursuant to Section 7.3.7.2 of the Zoning Bylaw;
3. Waiver of Traffic Study required pursuant to Section 7.3.7.3 of the Zoning Bylaw; and
4. Waiver of Presentation Model required pursuant to Section 7.3.7.7 of the Zoning Bylaw.

Mr. Ames seconded the motion.

Roll Call Vote:

Ellen Larkin Rollings-Yes

Kathleen Wynne-Yes

Joshua C. Ames-Yes

Philip M. Giordano-Yes

Christopher A. Pfaff-Yes

Ms. Loughnane said that the Planning Board can add a time condition for plantings. 2 years is standard, but can add a deadline to the conditions.

Mr. Ahearn wants it added to the record that all conditions be followed up by the Building Commissioner.

Proposed Motion for EIDR Approval:

Mr. Giordano moved that the Planning Board grant Environmental Impact & Design Review (EIDR) Approval for the Proposed Building and Site Alterations at 240 University Avenue, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on September 19, 2022, subject to the following conditions:

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. If the Project, or any Condition imposed in this Decision, requires permit, license, or other approval from any board or commission, 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 and shall obtain all required approvals prior to the start of any work. 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.
3. Any alterations, modifications, deletions or changes to the EIDR Approval shall be requested in writing to the Town Planner and Building Commissioner prior to implementation. Proposed alterations which are considered de minimis by the Building Commissioner may be accepted as a note to the file. Proposed alterations which are considered minor by the Building Commissioner pursuant to Section 7.3 of the Zoning Bylaw shall be considered through the filing of an Administrative EIDR Application, pursuant to Section 7.3.6 of the Zoning Bylaw or through the filing of an Application of Minor Modification of EIDR Approval for review by the Planning Board at a publicly posted Planning Board meeting. Proposed alterations which are determined to be major by the Building Commissioner or by the Planning Board, shall be considered by the Planning Board as a formal Amendment to the EIDR Approval and will require a new public hearing before the Planning Board.
4. The Applicant shall submit a Building Permit Application for all proposed facade alterations and shall make any interior alterations that are required by the Building Commissioner for interior vehicle operation and/or storage, prior to the placement of any motor vehicles inside the building.

5. All landscape and site work required hereunder shall be completed on or before July 1, 2023.
6. The Applicant shall submit As-Built plans at the conclusion of construction and prior to the issuance of a Certificate of Occupancy for the Property. The As-Built plans shall be delivered in a format approved by the Information Systems Director for compatibility with the Town of Westwood GIS database.
7. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.
8. 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 this Approval, the term "substantial use thereof or construction thereunder" shall mean the commencement and substantial continued progress of the approved activity.

Ms. Wynne seconded the motion.

Roll Call Vote:

Ellen Larkin Rollings-Yes  
 Kathleen Wynne-Yes  
 Joshua C. Ames-Yes  
 Philip M. Giordano-Yes  
 Christopher A. Pfaff-Yes

Upon a motion made by Ms. Wynne and seconded by Mr. Ames, the Planning Board voted in favor (5-0) via roll call vote to close the public hearing for Consideration of Modifications to Environmental Impact & Design Review Approval for SLD Building – 240 University Avenue.

Roll Call Vote:

Ellen Larkin Rollings-Yes  
 Kathleen Wynne-Yes  
 Joshua C. Ames-Yes  
 Philip M. Giordano-Yes  
 Christopher A. Pfaff-Yes

**Public Hearing for Consideration of Flexible Multiple Use Overlay District (FMUOD) Special Permit Application for 24M Lithium Ion Research & Development Facility – 26 Dartmouth Street: Public Hearing Notice posted 9/29/2022 Revised Notice-10/11/2022.**

Brian Dugdale was present, the applicant is Seyon and introduced the project. A 140,000 sq.ft. existing industrial building. Will add site improvements. He introduced his team and they all gave a brief introduction and gave a history of their company Seyon and 24M. They are a battery startup company spun out of MIT in 2010. The Westwood Facility will become their Worldwide Headquarters with an office component. Clean room space with a dry room. Will bring licensed partners in for training.

Brian Dundon, Site Civil Engineer: The exterior site improvements. He discussed replacing and striping parking lots, and the whole site. The majority of the plans will take place internally. Proposing landscape improvements, parking, new sidewalk system, electrical upgrades, and stormwater enhancements. Will also have a post construction and maintenance plan.

Under the 10-acre requirement and are seeking a waiver. 338 spaces are required but will have 192 spaces, more than enough to meet the tenants needs.

Peer Reviewer: Stephen Borgatti from BETA was present. And had a few comments:  
 The project does not meet the landscaping requirements.  
 The stormwater basins may need to be relocated and will reach out to the Water District.

Board Comments:

- Just Research & Development? *No real commercial manufacturing.*
- Small amounts of hazardous materials? *Tim Rineck-24m: Can come back with the numbers and list. Will handle the materials correctly. Currently in a residential community in Cambridge.*



- Have you had any chemical incidents, cleanups? *Mr. Rivneck: No.*
- Serious concerns about the stormwater recharge basins locations.
- Concern about the pedestrians/remote lot. Is it the most direct route?
- Bike racks on the site?
- Solar on the roof? *Mr. Leboski: It has been evaluated and will continue to evaluate it. Will not be a part of the initial phase.*
- Parking? *Mr. Leboski: It will not exceed 200, encouraging public transportation. The commuter rail is the attraction of the site. Confident that the parking will meet the requirements.*
- How final are the plans? Not seeing the wastewater system, fume hoods, Haz comp plan? Emergency response? Is everything leaving Cambridge? Chemical hygiene plan? Snow removal? Dumpster? *Mr. Leboski: Take health and safety seriously. Have an outstanding record. Don't have waste water. Use Clean Harbors for hazardous waste removal. Have met with the Fire Department.*
- Do you have a Tier 2 Report? *Mr. Rivneck will work with Ms. Loughnane.*

Public Comments:

Joe Previtera typed in chat: This appears to be within the Zone 2 Wellhead Protection District. Has Dedham Westwood Water weighed in on this project? Additionally, Massachusetts Department of Environmental Protection has some very strict requirements within wellheads. Lastly, it is clearly within 200 feet of the Neponset River, has an application been made to Westwood Conservation Commission? *Ms. Loughnane: It is partially within Zone 2 with 2 wellheads very close to the property. DWWD is aware of the project and are on the application notification form and will meet with BETA. Ms. Skinner Catrone does not believe that any disturbance was within 200 feet of the river nor within 100 feet of a wellhead but will ask her to verify the numbers.*

Fran Fusco typed in chat: As a resident, I am very concerned with the proximity to our water wells. Is this proposed project (with chemical usage) the closest to our wells? *Ms. Loughnane: 2 wells are close to this. Not sure if both wells are fully active. Will speak with DWWD. All University Station projects have gone through this process. O&M will be part of this project and will be reviewed by the Planning Board, Fire Dept. and the Board of Health.*

Mr. Dugdale appreciates all of the comments, recognizes the water resources and concerns of the residents and is working on solutions.

Ms. Loughnane asked if the Board was willing to grant the waiver? FMUOD minimum project size. Mr. Pfaff did a poll of the Board and all were in agreement.

What other Boards do they need to go before? *Ms. Loughnane spoke with Karon Skinner Catrone. She does not believe that the project will need Conservation Commission approval.*

Action Taken:

Proposed Motion for Continuation:

Mr. Giordano moved that the Planning Board continue the public hearing for the Flexible Multiple Use Overlay District 1 (FMUOD1) Special Permit Application for a 24M Lithium Ion Battery Research & Development Facility at 26 Dartmouth Street to Tuesday, November 15, 2022, at 7:00 pm via Zoom, where a Zoom link and associated call in numbers will be provided on Town's calendar on the homepage at: <https://www.townhall.westwood.ma.us/>.

Ms. Wynne seconded the motion.

Roll Call Vote:

Ellen Larkin Rollings-Yes  
 Kathleen Wynne-Yes  
 Joshua C. Ames-Yes  
 Philip M. Giordano-Yes  
 Christopher A. Pfaff-Yes

Ms. Loughnane asked Board members to send any follow up questions to her.

**Public Hearing for Consideration of Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Application – 510 Far Reach Road.**

Chris Cabral was present and represented the applicant and Mr. D Gandhi. In 2018 the applicant received a stormwater management permit, as construction went on the contractor was concerned with the slope. The house is constructed and just wants to complete the work and regrade the backyard.

Stephen Borgatti, BETA, present and had one outstanding comment. Slope stabilization? The applicant mentioned there may be erosion control. How will it be installed and anchored?

**Board Comments:**

- Is Conservation involved? *Yes, Karon Skinner Catrone is involved.*
- Have they weighed in on the controls? *Ms. Loughnane: No. The Peer Reviewer wants to know the product that will be used for erosion control. Conservation should approve it.*
- Any issues with stormwater running done that grade? *Mr. Cabral was not aware of any.*
- Who do you call if you see something? *Ms. Loughnane: Always call the Building Division. If it is about Conservation, it will go to the Conservation agent.*
- Did you get a Cease and Desist? *Back in August. Nothing has been done since August. Started in 2018. How long has the property been a mess? The owner said they stopped immediately.*

**Public Comments:**

Kiersten Lowe, 488 Far Reach Road, typed in chat: As an abutter to the project, I am concerned that there be adequate drainage and erosion mitigation to protect surrounding properties. There is a notation about removing trees and stumps within the limits of disturbance. I would hope that no additional trees will be removed since there has been substantial work already. I am also interested in the timing and duration to complete the project. *Mr. Cabral: No more trees are coming down. They will stabilize the yard and finish up as soon as possible. Ms. Loughnane: Drainage mitigation-Conservation Commission will look into the stormwater management. The Planning Board just deals with the Earth Movement.*

Wendy Thurmond, 472 Far Reach Road typed in chat: There was an issue with construction waste during the construction of the house. How can the neighborhood be sure this won't happen again with the erosion control blankets? Also, why did they begin this work without permitting a few months ago? *Mr. Cabral: Got a permit from Conservation and it was an oversight and did not realize that they needed additional permitting. Ms. Loughnane: The original land disturbance approval was an administrative approval and showed a lesser amount of Earth Material Movement. The plans have changed and it triggered the special permit EIDR approval from the Planning Board, and it triggered a modification of the original land disturbance approval.*

Deanna Young, 238 Far Reach Road typed in chat: Many trees have come down. Will Moore need to come down? Hopefully not, as this is a neighborhood of trees. Also, when do you anticipate a landscape going in? Grass, trees, plantings? *Mr. Cabral: As soon as possible.*

David Spellman, 7 Storrow Circle typed in chat: FYI, there is a lot of erosion on the sidewalks of the street with the amount of ledge in the neighborhood. We do have a lot of water movement and it has created problems for several people. Whatever erosion control goes in should consider this. There are sinkholes throughout the neighborhood. There are several town easements for drainage that were built at the time the neighborhood went in approximately 30 years ago. The original landscape work was never done, COVID had nothing to do with it. *Mr. Cabral: Ultimately wants to clean up the yard, remediate any erosion controls and restore the property with vegetation.*

Mr. Pfaff stated: Erosion control and drainage systems are not in our purview for single-family homes.

Debra Odeh, 416 Far Reach Road typed in chat: Is the plan for planting of the disturbed areas under the purview of the Planning Board or the Conservation Commission? The plan only shows a line of trees along the road and several bushes in the front of the house. Plantings do not address the slope of the new area. *Ms. Loughnane: The purview is under both Boards. Conservation will deal with drainage and erosion control, and the Planning Board regulates the Earth Material to and from the site.*

Wendy Thurmond, 472 Far Reach Road typed in chat: We have all been trying to talk to the owner.

**Action Taken:**

**Proposed Motion for Waivers:**

Ms. Wynne moved that the Planning Board grant the following waivers in association with the Application for Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Approval, for the Proposed Site Alterations at 510 Far Reach Road, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on August 17, 2022:

1. Waiver of Exterior Lighting Plan required pursuant to Section 7.3.7.2 of the Zoning Bylaw;
2. Waiver of Traffic Study required pursuant to Section 7.3.7.3 of the Zoning Bylaw; and

3. Waiver of Presentation Model required pursuant to Section 7.3.7.7 of the Zoning Bylaw.

Mr. Ames seconded the motion.

Roll Call Vote:

Ellen Larkin Rollings-Yes  
Kathleen Wynne-Yes  
Joshua C. Ames-Yes  
Philip M. Giordano-Yes  
Christopher A. Pfaff-Yes

Motion for EMM-EIDR Approval:

Mr. Ames moved that the Planning Board grant Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Approval for the Proposed Site Alterations at 510 Far Reach Road, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on August 17, 2022, subject to the following conditions:

1. Except as modified by the conditions and findings hereof, the Project shall comply with the Project Plans, in all respects, and the Applicant shall pursue completion of the project with reasonable diligence and continuity.
2. The Applicant shall obtain a Land Disturbance Permit from the Westwood Conservation Commission pursuant to the Westwood Stormwater Management Bylaw prior to the issuance of any Building Permit for the Project, and the conditions of said approval shall be incorporated as conditions of this EMM-EIDR Approval.
3. If the Project, or any Condition imposed in this Decision, requires any other permit, license, or other approval from any board or commission, 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 and shall obtain all required approvals prior to the start of any work. 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.
4. Any alterations, modifications, deletions or changes to the EMM-EIDR Approval shall be requested in writing to the Town Planner and Building Commissioner prior to implementation. Proposed alterations which are considered de minimis by the Building Commissioner may be accepted as a note to the file. Proposed alterations which are considered minor by the Building Commissioner pursuant to Section 7.3 of the Zoning Bylaw shall be considered through the filing of an Administrative EMM-EIDR Application, pursuant to Section 7.3.6 of the Zoning Bylaw or through the filing of an Application of Minor Modification of EMM-EIDR Approval for review by the Planning Board at a publically posted Planning Board meeting. Proposed alterations which are determined to be major by the Building Commissioner or by the Planning Board, shall be considered by the Planning Board as a formal Amendment to the EMM-EIDR Approval and will require a new public hearing before the Planning Board.
5. The Project shall reuse on site material (including large stones and boulders in some instances) and imported clean fill to create a stepped down yard and slope down as depicted on the Grading, Drainage & Utility Plan (Sheet C5), with 1:1 maximum slopes and erosion control blankets as specified.
6. The Applicant shall provide the manufacturer and product name of the erosion control blanket that is proposed to be used and a plan detail which identifies the proposed erosion control blanket installation practices, such as anchoring, minimum overlap, stapling pattern, and slope preparation. Special care shall be taken to properly install the proposed erosion control blanket in accordance with the detailed installation practices in order to minimize the risk of erosion.
7. The Applicant shall remediate and repair any erosion/sedimentation/slope instability which occurs post-construction.
8. The existing pavement on Far Reach Road shall be protected from damage from loading and unloading of material and/or equipment related to the proposed construction.

9. All trucks carrying earth material to or from 510 Far Reach Road shall be required to access Far Reach Road from northbound or southbound Summer Street; and all such trucks shall be required to travel from the site by proceeding east on Far Reach Road, then turning right or left onto Summer Street. No trucks associated with the Project shall be permitted to travel on any other non-arterial road in Westwood.
10. Any trucks delivering or removing materials shall be covered as to prevent said material from spilling onto the public roadway and any spilled material shall be cleaned from Far Reach Road, Summer Street, and any other roadways traveled in the transport of earth material to and from the site.
11. There shall be no substandard or hazardous fill material used with this Project. Prior to the import of any earth material, the Applicant shall submit certification to the Town Planner and Building Commissioner from the company providing said material, stating that the material does not contain any hazardous material.
12. All Project-related construction activities, including any ledge removal, tree removal, and all earth material movement, shall comply with the timeframes set forth in the Town's General Bylaws Chapter 292, for Noise and Construction, which allow such work Monday through Saturday between the hours of 7:00 a.m. and 7:00 p.m., and Sunday between the hours of 12:00 p.m. and 7:00 p.m.
13. The Applicant shall provide start and end dates for the proposed site work to the Town Planner, Conservation Agent, and Department of Public Works.
14. The Applicant shall promptly repair any damage which the Applicant or its agents cause to sidewalks, street pavement, signs, or other fixtures or features within the public right-of-way, after first obtaining permission from the Town Department of Public Works. Such repairs shall be performed to Town of Westwood standards.
15. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times throughout the period of construction.
16. This EMM-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 this EMM-EIDR Approval, the term "substantial use thereof or construction thereunder" shall mean the commencement and substantial continued progress of the approved activity.

Ms. Wynne seconded the motion.

Discussion:

Mr. Giordano said that he would like to see changes to the conditions to require a defined timeframe and limit the applicant to less than two years for performance of the work. He asked Mr. Cabral what would be reasonable period of time to complete the work. Mr. Cabral responded that the work would take a week and could be started within three days of approval by the Conservation Commission.

Ms. Loughnane suggested revising Condition #13 to read as follows:

13. The Applicant shall provide start and end dates for the proposed site work to the Town Planner, Conservation Agent, and Department of Public Works, and all work should be completed within two weeks of the issuance of a Land Disturbance Permit for the Conservation Commission.

Mr. Giordano moved that the Board amend the motion made by Mr. Ames' and seconded by Ms. Wynne to include the revised Condition #13.

Ms. Rollings seconded the motion to amend.

Mr. Ahearn stated that the Planning Board needs to vote on the amendment to the motion then you can vote on the amended motion.

Roll Call Vote on the proposed amendment:

Ellen Larkin Rollings-Yes  
 Kathleen Wynne-Yes  
 Joshua C. Ames-Yes  
 Philip M. Giordano-Yes

Christopher A. Pfaff-Yes

Mr. Ahearn advised the Board to take roll call vote on the amended motion.

Roll Call Vote on amended motion:

Ellen Larkin Rollings-Yes

Kathleen Wynne-Yes

Joshua C. Ames-Yes

Philip M. Giordano-Yes

Christopher A. Pfaff-Yes

Upon a motion made by Ms. Wynne and seconded by Mr. Giordano, The Planning Board voted in favor (5-0) via roll call vote to close the Public Hearing for Consideration of Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Application – 510 Far Reach Road.

Roll Call Vote:

Ellen Larkin Rollings-Yes

Kathleen Wynne-Yes

Joshua C. Ames-Yes

Philip M. Giordano-Yes

Christopher A. Pfaff-Yes

### **Public Hearing for Consideration of Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Application – 25 Fox Meadow Drive**

Mark Allen, Allen Engineering, was present. He is looking to build a home on a 2.5-acre property. There are a few easements on the property. He has had conversations with BETA and added to the plan. Will be meeting with the Conservation Commission tomorrow. 3 infiltration units for the stormwater. He provided a landscape plan that was updated this afternoon.

Stephen Borgatti from BETA was present:

Outstanding is the Landscaping plan, needs to have more detail.

Board Comments:

- Is this a buildable lot? *Ms. Loughnane, it is a buildable lot, under a bylaw that we no longer have.*

Public Comments:

Joe Previtera, typed in chat: To construct and install municipal services in the subdivision in accordance with the Order of Conditions and the Planning Board documents, and to take all necessary to comply with the Order of Conditions and the Planning Board documents including...the total amount impervious surfaces within the subdivision shall not exceed 6.8 acres. *Ms. Loughnane: Something In the order of conditions for the subdivision as a whole. Mr. Allen: This particular lot meets all stormwater management regulations. Will meet with the Conservation Commission tomorrow. The Planning Board decision is no longer enforceable because it was invalidated by the courts.*

Joe Previtera, 16 Dean Street. This was a challenging subdivision. How impervious it would be. Let's make sure we have the correct stormwater management systems in place. *Ms. Loughnane: This is about the movement of the earth; it is not about drainage or erosion.*

Action Taken:

Proposed Motion for Waivers:

Ms. Wynne moved that the Planning Board grant the following waivers in association with the Application for Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Approval, for the Proposed Single-family Home Construction at 25 Fox Meadow Drive, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on September 8, 2022:

1. Waiver of requirement to show all existing trees with a caliper of six (6) inches or larger and all trees which are proposed to be removed pursuant to Sections 7.1.5.1 and 7.1.5.3 of the Rules and Regulations for Environmental Impact & Design Review (EIDR) Approval;
2. Waiver of Exterior Lighting Plan required pursuant to Section 7.3.7.2 of the Zoning Bylaw;

3. Waiver of Traffic Study required pursuant to Section 7.3.7.3 of the Zoning Bylaw; and
4. Waiver of Presentation Model required pursuant to Section 7.3.7.7 of the Zoning Bylaw.

Mr. Giordano seconded the motion.

Discussion:

- Question on the caliper? *Ms. Loughnane: Is it a waiver you wish to grant? Mr. Allen: Only 35% of the land, a lot of the property is open space. 2/3rd of the property will remain in its current condition.*

Roll Call Vote: (4-1)

Ellen Larkin Rollings-Yes

Kathleen Wynne-Yes

Joshua C. Ames-No

Philip M. Giordano-Yes

Christopher A. Pfaff-Yes

Proposed Motion for EMM-EIDR Approval:

Ms. Wynne moved that the Planning Board grant Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Approval for the Proposed Single-family Home Construction at 25 Fox Meadow Drive, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on September 8, 2022, subject to the following conditions:

1. Except as modified by the conditions and findings hereof, the Project shall comply with the Project Plans, in all respects, and the Applicant shall pursue completion of the project with reasonable diligence and continuity.
2. The Applicant shall submit a Revised Landscape Plan for review and approval by the Town Planner, which plan shall:
  - a. Indicate existing plantings to be retained, including the location, size, and species pursuant to Section 7.1.9.1 of the Planning Board's Rules and Regulations for EIDR Approval;
  - b. Indicate the limit of proposed tree clearing;
  - c. Revise the plant legend to show whether species are native or non-native, height and size at time of planting, quantity to be planted, typical spacing of plantings, and symbols used to represent the plantings on the Landscape Plan; and
  - d. Provide typical detail of a tree planting and specialty planting area.
3. The Applicant shall obtain a Land Disturbance Permit from the Westwood Conservation Commission pursuant to the Westwood Stormwater Management Bylaw prior to the issuance of any Building Permit for the Project, and the conditions of said approval shall be incorporated as conditions of this EMM-EIDR Approval.
4. If the Project, or any Condition imposed in this Decision, requires any other permit, license, or other approval from any board or commission, 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 and shall obtain all required approvals prior to the start of any work. 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.
5. Any alterations, modifications, deletions or changes to the EMM-EIDR Approval shall be requested in writing to the Town Planner and Building Commissioner prior to implementation. Proposed alterations which are considered de minimis by the Building Commissioner may be accepted as a note to the file. Proposed alterations which are considered minor by the Building Commissioner pursuant to Section 7.3 of the Zoning Bylaw shall be considered through the filing of an Administrative EMM-EIDR Application, pursuant to Section 7.3.6 of the Zoning Bylaw or through the filing of an Application of Minor Modification of EMM-EIDR Approval for review by the Planning Board at a publicly posted Planning Board meeting. Proposed alterations which are determined to be major by the Building Commissioner or by the Planning Board, shall be considered by the Planning Board as a formal Amendment to the EMM-EIDR Approval and will require a new public hearing before the Planning Board.

6. If the Project involves blasting to remove any ledge, a blasting permit shall be obtained from the Fire Department and pre-blast surveys of the abutting and nearby properties shall be conducted prior to any blasting.
7. The existing pavement Fox Meadow Drive shall be protected from damage from loading and unloading of material and/or equipment related to the proposed construction.
8. All trucks carrying earth material to or from 25 Fox Meadow Drive shall be required to access Fox Meadow Drive from northbound Fox Hill Street; and all such trucks shall be required to travel from the site by proceeding south and then west on Fox Meadow Drive, then turning left onto Fox Hill Street and either right or left onto Gay Street. No trucks associated with the Project shall be permitted to travel on any other non-arterial road in Westwood, nor shall any such trucks be permitted to travel on any portion of Fox Hill Street which is north of the intersection with Fox Meadow Drive.
9. Any trucks delivering or removing materials shall be covered as to prevent said material from spilling onto the public roadway and any spilled material shall be cleaned from Fox Meadow Drive, Fox Hill Lane, Gay Street, and any other roadways travelled in the transport of earth material to and from the site.
10. There shall be no substandard or hazardous fill material used with this Project. Prior to the import of any earth material, the Applicant shall submit certification to the Town Planner and Building Commissioner from the company providing said material, stating that the material does not contain any hazardous material.
11. All Project-related construction activities, including any ledge removal, tree removal, and all earth material movement, shall comply with the timeframes set forth in the Town's General Bylaws Chapter 292, for Noise and Construction, which allow such work Monday through Saturday between the hours of 7:00 a.m. and 7:00 p.m., and Sunday between the hours of 12:00 p.m. and 7:00 p.m.
12. The Applicant shall promptly repair any damage which the Applicant or its agents cause to sidewalks, street pavement, signs, or other fixtures or features within the public right-of-way, after first obtaining permission from the Town Department of Public Works. Such repairs shall be performed to Town of Westwood standards.
13. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times throughout the period of construction.
14. This EMM-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 this EMM-EIDR Approval, the term "substantial use thereof or construction thereunder" shall mean the commencement and substantial continued progress of the approved activity.

Mr. Giordano seconded the motion.

Roll Call Vote: (4-1)  
 Ellen Larkin Rollings-Yes  
 Kathleen Wynne-Yes  
 Joshua C. Ames-No  
 Philip M. Giordano-Yes  
 Christopher A. Pfaff-Yes

Upon a motion made by Ms. Wynne and seconded by Mr. Giordano, the Planning Board voted in favor (5-0) to close the Public Hearing for Consideration of Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Application – 25 Fox Meadow Drive.

Roll Call Vote:  
 Ellen Larkin Rollings-Yes  
 Kathleen Wynne-Yes  
 Joshua C. Ames-Yes  
 Philip M. Giordano-Yes  
 Christopher A. Pfaff-Yes

**Public Hearing for Consideration of Modifications to Open Space Residential Overlay District (OSRD) Special Permit and Consolidated Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) for the Homes at 45 Development – 20-79 Abbey Road: Public Hearing Notice posted 9/29/2022**

Daniel Green was present. The project was approved in 2019 and he is now near the end of the development. He is asking for a vote to accept the site plans. Mr. Green went through the detailed plans with drainage and landscaping.

Board Comments:

- What is being asked? *Mr. Green: Asking the Board to approve the revised Landscaping grading plan to substitute previously. The changes are primarily to the shape and location of the berm. He asks the Board to allow the modification. They are in conformance with the earth material movement approval. Ms. Loughnane: There is more material kept on site and used to create the berms that was originally expected to be trucked off the property. They are asking for the project plans to be modified to reflect what was actually done.*
- What is the concern near Home #71: The Board was advised by the homeowner that there is an issue with water collecting near the home, behind the bulkheads, behind the long berm. *Mr. Green: There was some water collecting here during the period of construction, but we have now corrected the issue. There was a concern during the construction phase which was brought up by the homeowner last week. We just hydroseeded. We have a warranty on our homes, and homeowners have been given an 800 # to call if they have complaints. It is a work in process.*
- How much higher are the berms? *Mr. Green: We did not make them higher, only wider.*

Mr. Green then discussed the landscaping. He explained what was required and what he planted. He said they planted 68 trees over and above the number of trees proposed in the previously approved landscape plan.

Ms. Loughnane: The Board approved a site plan and a landscape plan in 2018. The revised plans reflect changes made on the ground since those plans were approved.

Board Comments:

- Are trees evergreen? *Greg: Not all, but many. Of the approved varieties, Green Giant arborvitae worked best and are used most prominently.*

Public Comments:

Hua Jia, 41 Colby Way, typed in chat: We are the owners that have some concern about our backyard privacy. We're hoping for some mitigation. *Mr. Green: Lights from cars on Abbey Road go straight into her house. The fence is well onto the Abbey Road property, leaving only enough room to plant one row of trees on the development side of the fence. Ms. Jia does not want trees planted on her side of the fence. One tree was moved to provide additional screening based on a discussion with Ms. Jia. Mr. Green will continue to work with Ms. Jia.*

Margery J. Eramo, 48 Clapboardtree Street was present. The Board required a 50-foot to 70-foot natural buffer running along Clapboardtree Street, that is to remain in perpetuity. There was mention to have pathways cut for a 2" gas line. Invasive plants were removed and it is no longer a thick buffer. Saplings were planted, but most died. Would like the area filled in more properly. The buffer was to be a natural landscape buffer with undergrowth; not just trees. The wording discussed during the hearing was not the same as recorded in the decision. *Mr. Pfaff: Sounds like something needs to be done there. Ms. Loughnane: The Board can require extra plantings. Mr. Green will look into the plantings.*

Mr. Goldberg, 71 Abbey Road was present. We hope the grading and seeding will solve the problem of the standing water behind our home. Interested in additional plantings for greater privacy too.

Ms. Eramo: Is there an ability to clarify the prior decision regarding wording of trees and perpetuity? *Mr. Ahearn stated that it cannot be solved tonight. Ms. Loughnane: The language proposed for the Board's decision tonight might help address Ms. Eramo's concerns. Ms. Eramo's concern related to the words "natural landscape buffer" and questioned whether that actually meant "wooded area". She feels that the language currency drafted for the proposed motion will cover it. Mr. Green: the intent was always to preserve the trees.*

Along with Planning Board members, Ms. Loughnane revised proposed draft Condition #3 to require the submission of a revised landscape plan for approval by the Town Planner and Tree Warden, with additional plantings, as needed, to address the specific concerns raised at this hearing by residents and abutters.

Action Taken:



Mr. Giordano moved that the Planning Board grant requested Modification of Open Space Residential Development (OSRD) and Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Approval for the Proposed Development known as the Homes at 45, 20-79 Abbey Road, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on October 12, 2022, subject to the following conditions:

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. If the Project, or any Condition imposed in this Decision, requires permit, license, or other approval from any board or commission, 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 and shall obtain all required approvals prior to the start of any work. 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.
3. The Applicant shall submit a Revised Landscape Plan with additional trees in the specific areas discussed during the course of the public hearing, for review and approval by the Town Planner and Westwood Tree Warden. Said Revised Landscape Plan shall clearly display the locations of the minimum 30 ft.-wide natural wooded landscape buffer areas adjacent to the rear yards of homes on Colby Way, Sherman's Way, and Winter Street, as well as the 50-70 ft.-wide natural wooded landscape buffer area between 20 Abbey Road and Clapboardtree Street. The natural wooded landscape buffer areas shall be maintained substantially in the condition existing prior thereto, in perpetuity, and no non-invasive vegetation shall be altered or removed from these natural wooded landscape buffer areas without express written approval from the Westwood Tree Warden.
4. All landscaping required herein shall be installed at the earliest possible date. If plantings cannot be installed by November 15, 2022, they shall be planted in the next growing season running from April 15 thru June 15, 2023. Any plantings that do not survive shall be replaced in-kind in perpetuity at the expense of the Homeowners' Association.
5. The Applicant shall submit As-Built Plans at the conclusion of construction and prior to the issuance of a Certificate of Occupancy for the Property. The As-Built Plans shall be delivered to the Town Planner in a format approved by the Information Systems Director for compatibility with the Town of Westwood GIS database.
6. The Operations & Maintenance (O&M) Plan for the Property shall be updated to include copies of the Revised Landscape Plan and the As-Built Plans as exhibits to the O&M Plan. A copy of the original OSRD Special Permit and all subsequent amendments and modifications to that OSRD Special Permit shall also be added as exhibits to the O&M Plan. An electronic copy of the updated O&M Plan shall be submitted to the Town Planner for review and approval. Following approval by the Town Planner, a complete paper copy of the O&M Plan, including all exhibits, shall be placed in a labeled binder and delivered to the Homeowners' Association. Said binder shall be permanently stored in a convenient and accessible location within the Community Building at 25 Abbey Road.
7. Following completion of the OSRD Project, and receipt of all required payments to the Westwood Affordable Housing Associates, the Applicant shall request the Planning Board's release of remaining surety funds. If said request is received prior to the successful establishment of grass within the public rights-of-way along Clapboardtree and Winter Streets, the Board shall hold back a sufficient amount of surety funds to cover the cost of any necessary reseeding of these grass strips. Once the grass within the public rights-of-way along Clapboardtree and Winter Streets has been successfully established, the Town Planner shall arrange for the return of any remaining surety funding to the Applicant.
8. A copy of this Decision and the Project Plans shall be kept on Project Site at all times during construction.

Ms. Wynne seconded the motion.

Roll Call Vote:  
Ellen Larkin Rollings-Yes  
Kathleen Wynne-Yes  
Joshua C. Ames-Yes

Philip M. Giordano-Yes  
Christopher A. Pfaff-Yes

Upon a motion made by Ms. Rollings and seconded by Mr. Giordano, the Planning Board voted in favor (5-0) via roll call vote to close the Public Hearing for Consideration of Modifications to Open Space Residential Overlay District (OSRD) Special Permit and Consolidated Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) for the Homes at 45 Development – 20-79 Abbey Road.

Roll Call Vote:  
Ellen Larkin Rollings-Yes  
Kathleen Wynne-Yes  
Joshua C. Ames-Yes  
Philip M. Giordano-Yes  
Christopher A. Pfaff-Yes

**Review of Comprehensive Plan Implementation Action Items – The Board will review the Implementation Action Table in the 2020 Comprehensive Master Plan and discuss which, if any, actions the Board wishes to pursue in 2022/23.**

This will be discussed next time.

**Review of Draft Meeting Minutes from September 20, 2022**

Ms. Loughnane noted that Ms. Wynne had brought to her attention a spelling error in the minutes where the word “caliper” was misspelled as “caliber”. She asked the Board to approve the minutes with an amendment to correct this misspelling.

**Action Taken:**

Upon a motion made by Ms. Wynne and seconded by Mr. Ames, the Planning Board voted in favor (5-0) via roll call vote to adopt the minutes from September 20, 2022 as amended.

Roll Call Vote:  
Ellen Larkin Rollings-Yes  
Kathleen Wynne-Yes  
Joshua C. Ames-Yes  
Philip M. Giordano-Yes  
Christopher A. Pfaff-Yes

**Set Planning Board Meeting Dates for January through May, 2023**

Respond to Ms. Loughnane with any conflicts.  
1 /3, 1/24, 2/7, 3/7, 3/21, 4/11, 5/16 & 5/30.

**Updates from Agency and Committee Representatives.**

None.

**General Miscellaneous Updates and Administrative Items**

None.

**Adjournment:**

Upon a motion made by Ms. Wynne and seconded by Mr. Giordano, the Planning Board voted in favor (X-0) via roll call vote to adjourn at 12:11AM on October 26, 2022.

**List of Documents:**

Link to Documents: [2022/10/25 07:00 PM Planning Board Regular Meeting - Web Outline - Town of Westwood, Massachusetts \(igm2.com\)](https://www.townofwestwood.com/2022/10/25/07:00-PM-Planning-Board-Regular-Meeting-Web-Outline-Town-of-Westwood-Massachusetts-igm2-com)

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

<p><b>394 &amp; 396 Providence Highway</b>          Providence Hwy #394-396 - EMM Application, Town of Westwood, 9/21/2022, 5 pages.          Providence Hwy #394-396 - EMM Drawings and Renderings, Harrison French &amp; Associates, 4/18/2022, 3 pages.          Providence Hwy #394-396 - EMM Exterior Lighting Plan, LSI, 5/10/2022, 1 page.          Providence Hwy #394-396 - EMM Photographs, 6 pages.          Providence Hwy #394-396 - EMM Project Description, DiPrete Engineering, 8/29/2022, 2 pages.          Providence Hwy #394-396 - EMM Site Plan, DiPrete Engineering, 8/29/2022, 23 pages.          Providence Hwy #394-396 - EMM Traffic Impact Study, Vanasse &amp; Associates, Inc., May 2022, 249 pages.          Providence Hwy #394-396 - EMM Waiver Request for Presentation Model, Adler Pollock &amp; Sheehan P.C., 8/30/2022, 1 page.</p>	PDF
<p><b>394-396 Providence Highway</b>          Property Owner Authorization Colbea, Westwood Planning Board, 5/5/2022, 1 page.          Property Owner Authorization McDonough, Westwood Planning Board, 5/5/2022, 1 page.          Stormwater Drainage Report, DiPrete Engineering, 5/4/2022, 80 pages.          Traffic Impact Study, Vanasse &amp; Associates, Inc., May 2022, 249 pages.          Project Description, DiPrete Engineering, 8/29/2022, 2 pages.          Presentation Model Waiver Request, Adler Pollock &amp; Sheehan P.C., 8/30/2022, 1 page.          Drawings-Renderings, Harrison French &amp; Associates, 4/18/2022, 3 pages.          Photos, 6 pages.          Other Signage, DiPrete Engineering, 5/4/2022, 11 pages.          Exterior Lighting Plan, LSI, 5/10/2022, 1 page.          Legal Notice 394 Providence Highway, Westwood Planning Board, 5/11/2022, 1 page.          BETA Peer Review, BETA, 7/7/2022, 18 pages.          DiPrete Engineering Comments 8-05-2022, DiPrete Engineering, 8/5/2022, 15 pages.          DiPrete Response to BETA Comments - Regulations, DiPrete Engineering, 8/29/2022, 14 pages.          DiPrete Stormwater Management Report, DiPrete Engineering, 8/29/2022, 82 pages.          DiPrete Stormwater System O &amp; M Plan, DiPrete Engineering, 5/4/2022, 32 pages.          DiPrete SWPPP, DiPrete Engineering, 8/29/2022, 48 pages.          Site Plans - Initial, DiPrete Engineering, 5/4/2022, 22 pages.          Site Plans - Revised, DiPrete Engineering, 9/8/2022, 23 pages.          2022-9-20 394 Providence Highway Peer Review, BETA, 9/20/2022, 27 pages</p>	PDF
<p><b>911-929 High Street</b>          High St #911-929 Dumpster Enclosure Elevations, R 2 Architects, 8/1/2022, 1 page.          High St #911-929 Dumpster Enclosure Photographs, 1 page.          High St #911-929 Dumpster Enclosure Project Description, 1 page.          High St #911-929 Dumpster Enclosure Site Plan, R 2 Architects, 9/8/2022, 1 page.          High St #911-929 Dumpster Enclosure Waiver Request for Lighting Plan, 1 page.          High St #911-929 Dumpster Enclosure Waiver Request for Model, 1 page.          High St #911-929 Dumpster Enclosure Waiver Request for Stormwater Plan, 1 page.          High St #911-929 Dumpster Enclosure Waiver Request for Traffic Study and Parking Spaces, 1 page.</p>	PDF
<p><b>240 University Avenue</b>          Project Narrative, 1 page.          Proposed Plans, WRP Design, 3/30/2022, 6 pages.          Previously Approved Plans, Planners Designers Architects, Inc., 2/26/2029, 7 pages.          240 University Ave Overhead Door Comparison, WRP Design, 9/16/2022, 1 page.          New Door Exterior, 1 page.</p>	PDF

<p><b>26 Dartmouth Street</b></p> <p>Dartmouth St #26 - FMUOD Special Permit Application, PPF Industrial 26 Dartmouth, LLC, 8/18/2022, 35 pages.</p> <p>Dartmouth St #26 - Project Narrative, RJOC &amp; Associates, Inc., 4 pages.</p> <p>Dartmouth St #26 - Proposed Site Plan, RJOC &amp; Associates, Inc., 7/28/2022, 1 page.</p> <p>Dartmouth St #26 - Stormwater Management Report, RJOC &amp; Associates, Inc., 8/15/2022, 195 pages.</p> <p>Dartmouth St #26 - Traffic Memorandum, Vanasse &amp; Associates, Inc., 8/15/2022, 4 pages.</p> <p>Dartmouth St #26 - Noise Study, Cavanaugh Tocci, 8/17/2022, 5 pages.</p> <p>Dartmouth St #26 - Parking and Traffic, RJOC &amp; Associates, Inc., 7/28/2022, 1 page.</p> <p>Dartmouth St #26 - Hazard Communications Plan, 24M Technologies, August 2021, 29 pages.</p> <p>Dartmouth St #26 - Existing Conditions, RJOC &amp; Associates, Inc., 6/28/2022, 1 page.</p> <p>Dartmouth St #26 - Existing Conditions 2, RJOC &amp; Associates, Inc., 5/31/2022, 1 page.</p> <p>Dartmouth St #26 - Existing Conditions 3, RJOC &amp; Associates, Inc., 5/31/2022, 1 page.</p> <p>Dartmouth St #26 - Existing Conditions 4, RJOC &amp; Associates, Inc., 5/31/2022, 1 page.</p> <p>26 Dartmouth St Peer Review 10-4-22, BETA, 10/4/2022, 14 pages.</p> <p>Planning Board Presentation, SEYON/24M, 10/25/2022, 23 pages.</p>	PDF
<p><b>510 Far Reach Road</b></p> <p>Far Reach Rd #510 - Detailed Project Description, 2 pages.</p> <p>Far Reach Rd #510 - Site Plans, Crossman Engineering, April 2018, 7 pages.</p> <p>Far Reach Rd #510 - Drainage Report, Crossman Engineering, July 2022, 45 pages.</p> <p>Far Reach Rd #510 - Photographs, 4 pages.</p> <p>Far Reach Rd #510 - Request for Exterior Lighting Plan Waiver, 1 page.</p> <p>Far Reach Rd #510 - Request for Presentation Model Waiver, 1 page.</p> <p>Far Reach Rd #510 - Property Owner Authorization, Westwood Planning Board, 7/25/2022, 1 page.</p> <p>911-929 High St legal notice, Westwood Planning Board, 9/20/2022, 1 page.</p> <p>2022-09-20 Engineering Response to Comments 9-20-22, Crossman Engineering, 9/20/2022, 2 pages.</p> <p>Far Reach Road #510 EMM-EIDR Peer Review Comments 8-31-2022, BETA, 8/31/2022, 3 pages.</p> <p>510 Far Reach Road- BETA Review 8-31-2022, BETA, 8/31/2022, 3 pages.</p> <p>510 Far Reach Road EMM EIDR BETA Review 10-24-2022, BETA, 10/24 2022, 4 pages.</p>	PDF
<p><b>25 Fox Meadow Drive</b></p> <p>Fox Meadow Dr #25 - Site Plan, Allen Engineering &amp; Associates, Inc., 6/28/2022, 2 pages.</p> <p>Fox Meadow Dr #25 - Stormwater Drainage Report, Allen Engineering &amp; Associates, Inc., 8/25/2022, 96 pages.</p> <p>25 Fox Meadow Dr EMM EIDR Peer Review 10-7-2022, BETA, 10/7/2022, 3 pages.</p> <p>PB response letter 10-20-22, Allen Engineering &amp; Associates, Inc., 10/20/2022, 2 pages.</p> <p>Narrative, October 2022, 2 pages.</p> <p>Design Plans 10-20-22, Allen Engineering &amp; Associates, Inc., 10/20/2022, 2 pages.</p> <p>Landscape Plan, Desimone Building Company, 10/21/2022, 1 page.</p> <p>Test Pit Logs, Commonwealth of MA, 4/8/2022, 2 pages.</p> <p>Land Disturbance Permit Application, 8/25/2021, 3 pages.</p> <p>Waiver Requests, 10/20/2022, 1 page.</p> <p>25 Fox Meadow Dr EMM EIDR BETA Review 10-24-2022, BETA, 10/24/2022, 4 pages.</p> <p>Site Design Plan Revised - 10-24-22, Allen Engineering &amp; Associates, Inc., 10/24/2022, 2 pages.</p> <p>Landscape Plan - 10-25-22, Desimone Building Company, 10/21/2022, 1 page.</p> <p>Fox Meadow Homeowners Association Letter, 6/9/2022, 1 page.</p>	PDF
<p><b>20-79 Abbey Road</b></p> <p>OSRD-SP-Clapboardtree RECORDED Decision-25-2021-03-16, Westwood Planning Board, 3/29/2021, 7 pages.</p> <p>OSRD-SP-45 Clapboardtree Decision 2019, Westwood Planning Board, 4/23/2019, 17 pages.</p> <p>Existing Utility As-Built Plans 100422, Lighthouse Land Surveying, LLC, 10/4/2022, 2 pages.</p>	PDF

<p>Letter from Engineer re Berms and Drainage 072922, VHB, 7/29/2022, 1 page. Modification Description 092122, 1 page. Modified Grading Plans 091922, VHB, 9/19/2022, 2 pages. Modified OSRD Site Plans 091922, VHB, 9/19/2022, 19 pages. Previously Approved OSRD Site Plans for Homes at 45 071819, VHB, 7/18/2022, 19 pages. Previously Approved OSRD Landscape Plan for 20-22 Abbey Road 031121, Grady Consulting, LLC, 1 page. Previously Approved OSRD Landscape Plans for Homes at 45 041719, Grady Consulting, LLC, 4/17/2019, 4 pages. Previously Approved OSRD Site and Landscape Plans for 20 and 22 Abbey Road 031021, VHB, 1/21/2021, 5 pages. Site Plan with Grading Changes, VHB, 10/18/2022, 1 page. Site Plan with Grading Changes with Aerial Image, VHB, 10/18/2022, 1 page. Perimeter Plantings count in contrast to Number Required, Grady Consulting, LLC, 4/17/2019, 2 pages.</p>	
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