

**TOWN OF WESTWOOD**  
COMMONWEALTH of MASSACHUSETTS

**Westwood Town Clerk**

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



Elijah Romulus, Town Planner  
[eromulus@townhall.westwood.ma.us](mailto:eromulus@townhall.westwood.ma.us)  
(781) 251-2581  
Amanda Wolfe, Housing & Land Use Planner  
[awolfe@townhall.westwood.ma.us](mailto:awolfe@townhall.westwood.ma.us)  
(781) 251-2598  
Tiana Malone, Administrative Assistant  
[tmalone@townhall.westwood.ma.us](mailto:tmalone@townhall.westwood.ma.us)  
(781) 320-1366

**PLANNING BOARD**

**DECISION OF THE PLANNING BOARD**

**Limited Environmental Impact & Design Review (EIDR)**

**APPLICANT** Tyler Simpson  
Hale Education, Inc.  
80 Carby Street  
Westwood, MA 02090

**PROPERTY OWNERS** Hale Education, Inc.  
80 Carby Street  
Westwood, MA 02090

**PROPERTY LOCUS** 80 Carby Street  
Assessor’s Map 4, Lot 1

**BACKGROUND AND PROJECT SUMMARY**

Tyler Simpson on behalf of Hale Education, Inc. (hereinafter “Applicant”) filed an application (hereinafter “Application”) requesting Limited Environmental Impact & Design Review (EIDR) Approval pursuant to Section 7.3 of the Town of Westwood Zoning Bylaw (hereinafter “Zoning Bylaw”) to construct a 28ft x 25ft cabin for seasonable camp programming to replace an existing cabin in declining condition. The project is in the Single Residence C (SRC) zoning district.

**STATEMENT OF FINDINGS**

**PROCEDURAL FINDINGS**

Having reviewed the plans and reports filed by the Applicant and its representatives and considered the technical analysis, supplemental information provided during the course of the public hearing, correspondence and testimony from the various boards, commissions, Town departments, and all other interested parties, the Town of Westwood Planning Board (hereinafter “Planning Board”) determined the following procedural and project findings:

1. On September 12, 2023, the Applicant submitted an Application requesting a Planning Board Limited EIDR pursuant to Section 7.3 that was filed with the Town Clerk on September 13, 2023.
2. Pursuant to M.G.L. Chapter 40A, Sections 9 and 11 and the applicable provisions of the Zoning Bylaw and Planning Board Rules and Regulations (hereinafter “Rules and

Regulations”), the Planning Board caused notice of the public hearing to be published in *Hometown Weekly*, a newspaper of general circulation in Westwood, on September 21, 2023 and September 28, 2023. Notice of the public hearing was posted in Westwood Town Hall commencing on September 13, 2023 and continuing through the opening of the public hearing on October 10, 2023. Said notice was mailed postage prepaid to all Parties in Interest as defined in M.G.L. Chapter 40A, Section 11 on September 21, 2023.

3. The Planning Board provided digital copies of the Application to Town boards, commissions, departments, and officials – including, but not limited to, the Board of Health, Building Commissioner, Department of Public Works, Town Engineer, Conservation Commission, and Fire and Police Chiefs on September 13, 2023.
4. Public hearing for the Application opened on October 10, 2023. The Planning Board met remotely via Zoom. Public comment was accepted through live time audio and the Question function on Zoom during hearings, in addition to in writing or by phone.
5. Westwood Planning Board Members Ellen Larkin Rollings, Kathleen Wynne, Joshua C. Ames, Philip M. Giordano, and Christopher A. Pfaff were present for the public hearing and deliberated on the Application at a duly authorized meeting on October 10, 2023.

#### **PROJECT SPECIFIC FINDINGS**

1. The project site (hereinafter “Project Site” or “Property”) is comprised of an approximately 341.64-acre parcel.
2. The parcel is identified on the Westwood Board of Assessor’s Map as 4, Lot 1. The parcel contains forests, ponds, meadows, and camp facilities used for Hale Education, Inc. recreational programming.
3. The Property is located within the SRC zoning district and is an exempt use under M.G.L. Chapter 40A, Section 3, commonly known as the Dover Amendment.
4. The Property is bordered by the Town of Westwood Carby Street Municipal Building to the east. There are additional Hale Education, Inc. parcels to the northeast and in the Town of Dover to the west. There is Town-owned conservation land to the south and single family homes to the north, south, east, and west.
5. The Applicant proposes constructing a 28ft x 25ft cabin with a six (6) ft deep porch extending across the front façade (hereinafter Building) to replace an existing cabin in declining condition.
6. The Building will be constructed in a separate location from the existing cabin so that it is closer to the existing parking area.
7. The Building will be used for camp programming, including office space, storage, and ad hoc sleeping space to supplement the sleeping space in the nearby yurts.

8. The beneficial effects of the project will not outweigh any adverse impacts on the Town or the neighborhood, in view of the particular characteristics of the site, and of the Project in relation to that site, and the uses allowed are in harmony with the general purpose and intent of Section 7.3 of the Zoning Bylaw.
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 of the Zoning Bylaw.
10. The Applicant demonstrated that the Project will minimize the volume of cut and fill, the number of removed trees six (6) inch caliper or larger, the length of removed, stone walls, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, soil erosion and threat of air and water pollution.
11. The Applicant demonstrated that the Project will maximize pedestrian and vehicular safety on the site and egress to and from the site.
12. The Applicant demonstrated that the Project will minimize obstruction of scenic views from publicly accessible locations.
13. The Applicant demonstrated that the Project will minimize visual intrusion by controlling the visibility of parking, storage or other outdoor service areas viewed from public ways or premises residentially used or zoned.
14. The Applicant demonstrated that the Project will minimize glare from headlights and lighting intrusion.
15. The Applicant demonstrated that the Project will minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places.
16. The Applicant demonstrated that the Project will minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances.
17. The Applicant demonstrated that the Project will ensure compliance with the provisions of Section 7.3, including parking, landscaping, exterior lighting, and noise.

### **WAIVERS**

The Planning Board considered requests for the specific waivers listed below, and determined that such waivers will result in a substantially improved project; that such project will otherwise meet the performance and design standards set forth in this Section; and that such waivers will pose no substantial detriment to any adjacent property or proximate neighborhood, and will not nullify or substantially derogate from the intent or purpose of the Westwood Zoning Bylaw. On October 10, 2023, the following waivers are hereby granted by the Planning Board:

1. Waiver from strict compliance with Section 7.3.7.1.6 of the Zoning Bylaw requiring the submission of a Stormwater Drainage Report
2. Waiver from strict compliance with Section 7.3.7.2 of the Zoning Bylaw requiring the submission of a photometric plan
3. Waiver from strict compliance with Section 7.3.7.3 of the Zoning Bylaw requiring the submission of a full Traffic Study
4. Waiver from strict compliance with Section 7.3.7.7 of the Zoning Bylaw requiring the submission of a presentation model

### APPLICATIONS AND PLANS

The Planning Board evaluated the Application filed by or on behalf of the Applicants in the Office of the Town Clerk on September 13, 2023, and all material submitted through the close of the public hearing on October 10, 2023. All of the following plans and materials are hereby incorporated by reference and made part of this Decision:

1. Limited EIDR Application PB-23-51 submitted by the Applicant on September 12, 2023, and received by the Town Clerk on September 13, 2023, consisting of six (6) pages
2. Site plans entitled "Site Plan Fern Valley Building", prepared by CAQ Engineer Associates, Inc. of 733 Turnpike Street, #261, North Andover, MA 01845, stamped by Registered Civil Engineer Carlos A. Quinta, dated September 9, consisting of one (1) sheet
3. Architectural plans entitled "Fern Valley Cabin", prepared by Spectrum Design & Construction of 37 Windsor Road, Westwood, MA 02090, stamped by Registered Architect Dennis M. Colwell, Jr., dated February 15, 2023, consisting of six (6) sheets
4. Project narrative, untitled, prepared by the Applicant, no date, consisting of one (1) page
5. Photos, untitled, prepared by the Applicant, no date, consisting of four (4) pages
6. "Property Owner Application Authorization" signed by Hale Education, Inc. Executive Director Eric Arnold, dated September 6, 2023, consisting of one (1) page

### DECISION

On October 10, 2023, the Planning Board evaluated the Application in relation to the above Findings and – as the approving authority – on a roll call vote with five (5) in favor and zero (0) opposed, hereby **grants** the requested Limited EIDR Approval pursuant to Section 7.3 of the Zoning Bylaw for the Project as described above and in the Application therefore filed with the Town Clerk on September 13, 2023, subject to the Conditions stated herein, all of which are an integral part hereof:

### CONDITIONS OF APPROVAL

1. Except as modified by the conditions and findings hereof, the Project shall comply with the Project Plans, 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 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.
3. Any proposed alterations, modifications, deletions or changes to the Limited EIDR 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 shall require the filing of an Application of Modification of said 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 approval and will require a new public hearing before the Planning Board.
4. Prior to the issuance of a Building Permit the applicant must submit a site plan indicating: trees with a caliper of six (6) inches or larger, with notation as to each trees size and species, in the immediate vicinity of the proposed cabin and any trees to be removed to be reviewed and approved by the Town Planner.
5. 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.
6. All chemicals used during construction shall be located in a designated containment area and shall be located on an impervious surface designed to prevent the discharge of contaminated run-off into the soil or groundwater.
7. 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.
8. The Applicant shall obtain approval by the Town Planner for any signage not included in this Application and shall obtain all required Signage Permits from the Building Division prior to installation.

9. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.
10. The Applicant shall submit As-Built plans at the conclusion of construction, which shall indicate the location of all water quality units, 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.
11. This Limited EIDR 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.

#### RECORD OF VOTE

The following members of the Planning Board voted on October 10, 2023 to grant the Limited EIDR Approval for the abovementioned Project with conditions as set forth above: Ellen Larkin Rollings, Kathleen Wynne, Joshua C. Ames, Philip M. Giordano, Christopher A. Pfaff.

The following members of the Planning Board voted in opposition to the grant the Limited EIDR Approval for the abovementioned Project: none.



Elijah Romulus  
Town Planner  
October 23, 2023