

**Westwood Planning Board Minutes
Tuesday November 14, 2023
7:00 pm
Via Zoom Remote Participation
Westwood, MA 02090**

Pursuant to Chapter 2 of the Acts of 2023, On March 29, 2023, Governor Maura Healey signed into law, an Act Extending pandemic-related authorizations related to public meetings, allowing remote meeting options for public bodies through March 31, 2025. The November 14, 2023 Planning Board meeting was conducted via remote participation by the Board.

Call to Order

The meeting was called to order by the Chair Ellen Larkin Rollings at approximately 7:01 p.m. The remote meeting was video recorded by Westwood Media Center and was available on Comcast channel 6, Verizon channel 42 and on Westwood Media's YouTube channel https://www.youtube.com/results?search_query=westwood+media+center. Chair Rollings explained the meeting procedures, and how the Planning Board process works.

Present via Remote Participation

Planning Board members present via Roll Call: Ellen Larkin Rollings, Christopher A. Pfaff, Joshua C. Ames, Philip M. Giordano and Kathleen Wynne.

Staff members present: Elijah Romulus, Town Planner, Nora Loughnane, Director of Community & Economic Development, Amanda Wolfe, Housing & Land Use Planner and Jessica Cole, who recorded the meeting minutes.

Mr. Romulus had a change to the agenda. 1054 High Street would like a continuance to fulfill the updates to the project.

Continuation of Public Hearing for Consideration of Mixed-use Multi-family Residential Overlay District (MUMFROD) Special Permit for Mixed-use Redevelopment – 22 Everett Street (continued from 10/24/23)

Peter Zahka attorney was present along with: Giorgio Petruzzello, Mike McKay, Ken Cram and Angela Botto. Mr. Zahka had some updates since the last meeting. The applicant met with Westwood Public Schools and explained the projected school age children. Mr. Petruzzello met with the residents from Rose Court in Norwood. The Town of Norwood wanted to do their own Peer Review for the project, they requested an internal stop sign. The applicant will encourage MBTA bus and commuter rail, there will be incentives, and will see if a shuttle bus is needed. Finally, had a meeting with the Town about the affordable part of the project. Most significant part of the project is the affordable housing part of the project.

Mr. Zahka stated that 150 units requires 23 affordable units. There was a request that some of the units should be for 60% AMI. The applicant indicated an agreement to have 3 units at the 60% AMI, the Town of Westwood may not allow. The applicant ran the numbers with the Town's preferred rent, and the project became non-financeable. The bank uses the state's figures. The applicant is looking at multiple scenarios. The Town is agreeable with the 60% AMI, but not the 80% AMI. The bottom chart has the loss, annually would lose \$83,784, and will decrease the value of the project by \$1.6 million. When they first go out to rent they go at the stated allowable rent, and then can lower the price if they are empty units.

One Scenario will add 10 units (160) with the Town's preferred rent.

136 at market cost

21 at 80% AMI

60% AMI-3 units for a total of 160 units.

This scenario would work so that the project can be financed.

The number of school aged children will remain the same at 28, if it becomes 160 units.

Town Staff Comments:

- Mr. Romulus is not advising an increase in units. Did propose 11 affordable units at 60%, and the applicant is giving 3. AS a Planning Board we do not make conditions related to rent prices.
- Ms. Wolfe stated that Westwood has a practice where we don't go to the maximum allowable rent. The Select Board and Housing Partnership both vote on the application and regulatory agreement before it is submitted to the State.
- Ms. Loughnane: Had a few comments: The Zoning Bylaw requires affordable units in a MUMFROD zone, 15% of the units must be affordable. It requires that those units be proposed as Local Action Units approved by the Executive Office of Housing and Livable Communities and the Town and be covered by Regulatory

Agreement. The first process is a submission of a Local Action Unit Application for review by the Housing Partnership and the Select Board.

- What will the market rate be?

Mr. Petruzziello toured the Gables to see the comparison and did not see much of a difference.

\$2.70-\$3/square foot.

Anticipated units:

- \$2100-2600 for 1 bedroom-market rate.
- \$2650-3100 for a 2 bedroom
- \$4000-5000 for a 3 bedroom

It appears that the Gables rents are higher for comparison uses.

Mr. Petruzziello stated that the financing is the hardest part of the project.

Interest rates have doubled.

The numbers are very important to the project.

Mr. Romulus, with the affordable units, went from 11-3 units. Are you not willing to go for the 60% at 3 units but still maintain 150 units? The Planning Board cannot choose the numbers for the rent rates, but wanted to make sure you are willing to have 3 units at 60% AMI.

Mr. Petruzziello said no, it is almost 4% of the project.

He can do it without the solar panels or playground.

Even if it's the 80% units, for all 23 units, you still need to go through the LAU. Do not assume you will receive approval for the full maximum HUD value rents.

Staff & Board Comments:

- Affordability: Mr. Romulus made his recommendation from the beginning.
- Mr. Zahka: Had assumed it was based on the Islington project which is being done differently.
- This is a brand-new type of project because of changes at the state level.
- Recommend that Town Staff and the Applicant work together to find a compromise.
- Ms. Wolfe has forecasted what she expects to recommend to the Housing Partnership based on other units in Town. We are just advising Mr. Petruzziello, we are making him aware.
- It is up to the Housing Partnership and the Select Board.

Traffic Management Plan/Transportation Demand Management

Mr. Cram was present, it has been reviewed by Mr. Houston. Are exploring private shuttles. Moderna runs a shuttle and may be looking for additional housing for their employees.

Mr. Zahka summarized the TDM:

- appoint a transportation coordinator.
- Online transportation kiosk.
- Promote bicycle amenities
- Walkways will be promoted
- \$100 credit will be applied if have proof of MBTA ridership
- \$50 credit to residents that do not have a car.

Mr. Houston reviewed the TDM submittal and had 2 comments.

- Expand to include the retail employees.
- Beneficial to all, if there is a shuttle (dependent on demand) to Islington and 128 Station shuttle.

Board Comments:

- Suggest Mr. Petruzziello join the Neponset Valley TMA. *Mr. Petruzziello would be interested in reaching out to them.*
- How to handle parking? Free spaces? *Mr. Petruzziello: All interior parking will be charged to discourage vehicles.*
- What is the vision for the coordinator? *Mr. Petruzziello. It will be handled by his staff. Parking, trains and buses, full-time on site.*
- Car parking will be monitored.
- Can we condition/revise the traffic at 80% of the project? *Mr. Zahka: Traffic light at Washington and Everett, prior to the issuance of Certificate of Occupancy. Will do at 80% occupancy.*
- Mr. Romulus: Do a TDM after a decision, doing it beforehand is helpful.
- Spoke to the School Board? *Mr. Zahka: It was an exceptional meeting and provided the opportunity to look at the cost associated with the schools. And ran through the analysis and projection of the number of students. If over 28 students will make a payment to show good faith.*
- Residential and Retail tax rate? *Mr. Zahka: It was taken into account that part is retail.*

- Hoping that the project will be beneficial to the Town.
- Playground: Flutie Foundation, are they contributing to the playground? *Mr. Petruzzello: Yes, it is an ongoing discussion. There are a lot of conditions, but yes, they are advising.*

Mr. Zahka wanted to make the Planning Board aware, intent of the applicant to do the project in 2 phases. Start with the front building and want it stated in the decision.

Mr. Romulus: To do Phasing, the applicant would need to update the site plan with a proposed schedule. Can re-work the language on the construction trucks.

Public Comments: PHOTO

M. Eramo: 48 Clapboardtree typed in chat: Has the board delineated or will the Board consider delineating the roadways to be used by large construction vehicles going to and leaving the site during the construction process? Mr. Romulus: Trucks will be directed as part of the conditions.

To give the applicant an idea, Planning Board members did a poll about increasing the number of units. Would you accept more units to make the financials work? Is the project worth moving forward?

- Mr. Pfaff-Consider additional units.
- Mr. Ames-Consider additional units
- Mr. Giordano-Disinclined
- Ms. Wynne-Hope that we can serve families, concerned about decreasing 2 bedrooms
- Chair Rollings-On the fence-don't want to lose the 2-bedrooms.

Action Taken:

Motion for Continuance:

Mr. Pfaff moved that the Planning Board continue the public hearing for the Mixed-use Multi-family Residential Overlay District (MUMFROD) Special Permit and consolidated Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Approval for 22 Everett Street, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on May 24, 2023, to Tuesday, December 5, 2023, 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
Joshua C. Ames-Yes
Philip M. Giordano-Yes
Christopher A. Pfaff-Yes
Kathleen Wynne-Yes

Continuation of Public Hearing for Consideration of a Limited Environmental Impact & Design Review (EIDR) to construct an Addition to a Private School Building with Parking Alterations at 1054 High Street (continued from 10/24/23)

Action Taken:

Motion for Continuance:

Mr. Ames moved that the Planning Board continue the public hearing for the limited Environmental Impact Design Review (EIDR) for 1054 High Street, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on September 13, 2023, to Tuesday, December 5, 2023, 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
Joshua C. Ames-Yes
Philip M. Giordano-Yes
Christopher A. Pfaff-Yes
Kathleen Wynne-Yes

Continuation of Public Hearing for Consideration of Amendments to Various Planning Board Rules & Regulations (continued from 10/24/23), including:

- Environmental Impact & Design Review

- Special Permit Granting Authority
- University Avenue Mixed Use District
- Scenic Roads
- Governing the Subdivision of Land
- Earth Material Movement Approval
- Solar Design Review Approval
- Access Approval Overlay District

Ms. Loughnane stated that the Rules and Regulations were first presented in June of 2023. There are a lot of changes to eliminate paper and fees. MUMFROD there are no regulations for it, the Planning Board has not adopted it yet. Ms. Loughnane asked if the Planning Board had any concerns. Ms. Loughnane would like them to get the Rules and Regulations approved and not to continue indefinitely.

Board Comments:

- We can force digital? *Ms. Loughnane: Yes. If we adopt the Town does not have to accept paper.*
- It was an easy read.
- Would like an adoption on December 5th.
- Not changing or re-writing, just cleaning it up.

Action Taken:

Motion for Continuance:

Mr. Pfaff moved that the Planning Board continue the public hearing for consideration of amendments to various Planning Board Rules and Regulations as it pertains to Environmental Impact & Design Review, Special Permit Granting Authority, University Avenue Mixed-Use District, Scenic Roads, Governing of the Subdivision of Land, Earth Material Movement Approval, Solar Design Review Approval, and the Access Approval Overlay District to Tuesday, December 5, 2023, at 7:00 p.m. 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
Joshua C. Ames-Yes
Philip M. Giordano-Yes
Christopher A. Pfaff-Yes
Kathleen Wynne-Yes

Consideration of Request for Release or Reduction in Surety for Morgan Farm Estates Definitive Subdivision

Lou Petrozzi was present and wants the bond/security agreement and wants it released.

The Planning Board held back \$9,000 from the total amount.

Needed as built plans and man hold covers.

Board Comments:

- Have the conditions been met? *Mr. Petrozzi: In his opinion all the requirements have been met. The DPW and Wall Street Development made the pavement. Collaborated with the Town, the contractor missed 3 manhole covers that were not raised. There is a question that it was not inspected.*

Staff Comments:

- BETA did their review of the project and the Board held up the money. The applicant has redone the as built plan and BETA said that it passed their review. Suggest that the Board release \$3,000.

Mr. Petrozzi was upset with the Bond reduction and the release of the funds. He wanted the entirety of the funds released. He holds the DPW responsible.

Board Comments:

- What is the ask? Tear up pavement and repave?
- What is the potential for damaging drainage? *Mr. Petrozzi: It is work that is not necessary.*
- Is this standard procedure? *Mr. Romulus: The Town has standards for roadway regulations.*

Action Taken:

Motion for Reduction in Surety:

Mr. Ames moved that the Planning accept, in part, the proposed release of the Tri-Partite Agreement for Morgan Farm Estates Phase I, and accept the partial release of the Tri Partite Agreement for Morgan Farm Estates Phase II,

both of which Agreements were entered by and between the Westwood Planning Board, Wall Street Development, and Needham Bank to secure completion of the work associated with the roadways and installation of utilities for the full project including all phases of construction for the Planning Board's Open Space Residential Development (Definitive Subdivision, as described in the Planning Board decision titled "Minor Modification of Open Space Residential Development Definitive Subdivision Approval", dated February 26, 2013 and filed in the Office of the Town Clerk on April 9, 2013. The proposed Release is intended to reduce the amount of the Phase I Tri Partite Agreement from two thousand dollars (\$2,000.00) to one thousand (\$1,000) and to reduce the amount of the Phase II Tri Partite Agreement from seven thousand nine hundred dollars (\$7,900.00) to five thousand six hundred dollars (\$5,600). The combined six thousand six hundred-dollar (\$6,600) balance is intended to secure the correction of inadequate pavement to be witnessed by a town official or their designee.
Ms. Wynne seconded the motion.

Discussion:

Mr. Pfaff wanted some clarity. Was it our DPW that did the paving? *Mr. Petrozzi used the same vendors, and split the bill with the Town. LaRusso Corp. They missed the 3 manhole covers. He wants the money he is entitled to have.*

Roll Call Vote:

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

Discussion on Re-appointment of Planning Board Associate Member

Mr. Romulus stated that Steven Olanoff's Associate Member expires tomorrow 11/15/2023. He has requested to be re-appointed and it will be voted on at the Select Board meeting on December 4, 2023.
Mr. Olanoff would be interested in another 3-year term.

Action Taken:

Motion for appointment of Planning Board Associate Member:

Mr. Ames moved that the Planning Board recommend the Select Board appoint Steven H. Olanoff to a three-year term as Planning Board Associate Member which would expire in 2026.
Ms. Wynne seconded the motion.

Roll Call Vote:

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

Discussion of Potential Warrant Articles for May 2024 Annual Town Meeting

Warrant Articles for May 2024 Annual Town Meeting

Ms. Loughnane stated that this was the Planning Board's first discussion on potential Warrant Articles the Planning Board might want to sponsor at the May 2024 Town Meeting. She had some suggestions.

Zoning Bylaw Articles:

#1

Expansion of the Mixed-Use Multi-Family Overlay District -we are required to do by the state under the MBTA Communities Act. We must pass zoning that allows for by right multi-family development at the density of at least 15 units per acre covering at least 50 acres, with the ability to produce at least 870 units of housing. 50% of the 50+ acres zone overlay district would have to be within ½ mile of a train station and 50% does not have that restriction. So far Westwood has 16.16 acres, we still need approximately 34 more acres in town with a density allowance of 870 units.

Ms. Loughnane wanted suggestions so she could start mapping.

We are committed to meeting the guidelines.

Be prepared for the December meetings.

#2

Possible resubmission of the Sustainability Article from 2023 if the Attorney General's Office does not approve the article. The Attorney General has been reviewing the article since June 2023 and the Town is waiting to hear back from the state.

#3

Verizon Wireless Communication wants to put a wireless facility at University Avenue, specifically 85 University Avenue. The Planning Board should consider its own article that looks at where and under what conditions it would consider communication development within University Station. What would be good for the Town.

#4

The Building Department has concerns with existing definitions and possible adding drawings. Wall and Fence height requirements.

General Bylaw Amendments:

- Dumpster bylaw-temporary dumpsters.
- Leash requirements to all public property.

Planning Board member suggestions:

- Speed limits throughout Town. *Ms. Loughnane will have to check with the Town Counsel. Would probably be under the Select Board.*
- Look at landscaping bylaws/solar panel canopies.
- Town wide tree canopy.
- Stretch Code-Ms. Loughnane will look into it.
- Leaf blower limitation bylaw.

Review of Draft Meeting Minutes from October 24, 2023

Upon a motion made by Ms. Wynne and seconded by Mr. Pfaff, the Planning Board voted in favor (4-0-1) via roll call vote to adopt the minutes from October 24, 2023 as accepted.

Roll Call Vote:

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

Updates from Agency and Committee Representatives

- Mr. Romulus: Updated of the Climate Action, Resiliency & Sustainability Plan and has finished the set of community vision sessions. He is encouraging people to take the survey. Take it by December 15.
- Long Range-overview by Stephanie McManus-financials of the Town with capital projects in the future.

General Miscellaneous Updates and Administrative Items

- 2024 Meeting Schedule
- Ms. Wolfe gave an update on 436 Washington Street. Currently in the process of doing the regulatory agreement and the applications for the 5 local action units that will be at the property. The applicant is proposing charging a rent comparable to a 2-bedroom affordable at Gables. Proposed rent will be approximately \$2100/month. Affordable rent for a 600 square foot apartment? He is allowed within the state's limits. Ultimately the Housing Authority will vote on this.
- Can add to Rules and Regulations about affordable housing/rents.
- Ms. Wolfe suggested in the Application portal adding a step for housing comments.

Upcoming Board Meetings: **December 5, 2023, December 19, 2023, and January 9, 2024.**

Adjournment

Upon a motion made by Mr. Pfaff and seconded by Ms. Wynne, the Planning Board voted in favor (5-0) via roll call vote to adjourn at 10:17pm.

Roll Call Vote:

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

List of Documents

Link to Documents: [2023/11/14 07:00 PM Planning Board Regular Meeting - Web Outline - Town of Westwood, Massachusetts \(iqm2.com\)](https://www.townhall.westwood.ma.us/departments/community-economic-development/planning-division)

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

<p>22 Everett Street</p> <p>Everett St 22 - Stamped Legal Notice, Westwood Planning Board, 5/11/2023, 2 pages. Everett St 22 - Presentation 2023-09-26, Bohler, 27 pages, 9/26/2023. Everett St 22 - Presentation 2023-08-08, Bohler, 13 pages, 8/8/2023. Everett St 22 - Site Plans V4 (2023-09-01), Bohler, 9/1/2023, 30 pages. Everett St 22 - TDM, Bayside Engineering, 11/1/2023, 20 pages. Everett St 22 - Traffic Impact Study, Bayside Engineering, 4/13/2023, 342 pages. Everett St 22 - Engineering Peer Review 1 Response (2023-08-04), Bohler, 616 pages, 8/4/2023. Everett St 22 - Engineering Peer Review 2 - PSC (2023-08-23), PSC, 8/23/2023, 53 pages. Everett St 22 - Engineering Peer Review 2 Response (2023-09-01), Bohler, 9/1/2023, 22 pages. Everett St 22 - Engineering Peer Review 3 - PSC (2023-09-09), PSC, 9/9/2023, 28 pages. Everett St 22 - Engineering Peer Review 3 Response (2023-09-15), Bohler, 9/15/2023, 3 pages. Everett St 22 - Engineering Peer Review 4 - PSC (2023-09-16), PSC, 9/16/2023, 3 pages. Everett St 22 - Engineering Peer Review 5 - PSC (2023-11-11) - TDM, PSC, 11/11/2023, 5 pages. Everett St 22 - Norwood Traffic Review Memo, Town of Norwood, 11/9/2023, 5 pages. Everett St 22 - Westwood-Norwood Presentation (2023-09-11), Bohler, 9/11/2023, 12 pages. Everett St 22 - Stormwater Management Report, Bohler, 3/22/2023, 189 pages. Everett St 22 - Pipe Sizing Calculations (2023-08-30), Bohler, 8/30/2023, 1 page. Everett St 22 - HydroCAD Report (2023-08-30), Bohler, 8/30/2023, 67 pages. Everett St 22 - Operation & Maintenance Post Const Inspection Report, 11 pages. Everett St 22 - Snow Storage (Combined), Bohler, 8/31/2023, 4 pages. Everett St 22 - BMP Map (2023-08-29), Bohler, 8/29/2023, 1 page. Everett St 22 - Passenger Vehicle Turning Exhibit V2 (2023-09-15), Bohler, 9/15/2023, 1 page. Everett St 22 - Fire Truck Turning Exhibit (2023-08-31), Bohler, 12/16/2022, 1 page. Everett St 22 - Roof Plans (2023-06-28), McKay, 6/28/2023, 2 pages. Everett St 22 - Turret Height, 1 page. Everett St 22 - Fiscal Report V2 (2023-08-28), Fougere, 8/28/2023, 17 pages. Everett St 22 - Fiscal Peer Review 1, RKG, 8/1/2023, 7 pages. Everett St 22 - Fiscal PR Presentation 2023-08-08, RKG, 8/8/2023, 5 pages. Everett St 22 - Fiscal Peer Review 1 Response (2023-08-30), Fougere, 8/30/2023, 6 pages. Everett St 22 - Fiscal Peer Review 2 (2023-09-14), RKG, 9/14/2023, 2 pages. Everett St 22 - Fiscal Report V1, Fougere, 4/13/2023, 17 pages. Everett St 22 - Site Plans V3 (2023-08), Bohler, 30 pages. Everett St 22 - Site Plans V2 (2023-07-28), Bohler, 27 pages. Everett St 22 - Site Plans V1 (2023-03-08), Bohler, 3/8/2023, 27 pages. Everett St 22 - Elevations (2023-04-11), McKay, 4/11/2023, 7 pages.</p>	<p>PDF</p>
<p>1054 High Street-Continued to December 5, 2023</p> <p>High St 1054 - Legal Notice High St 1054 - Narrative High St 1054 - Site Plan - Existing & Proposed High St 1054 - Renderings & Photos High St 1054 - Architectural Plans High St 1054 - Land Disturbance Estimate High St 1054 - Exterior Lighting Plan Waiver High St 1054 - Stormwater Waiver High St 1054 - Traffic Impact Study Waiver High St 1054 - Landscape Plan</p>	<p>PDF</p>
<p>Morgan Farm Estates</p> <p>Planning Board - AsBuilt Plan(REV)_23September29, GLM Engineering, 7/25/2023, 2 pages.</p>	<p>PDF</p>
<p>Consideration of Amendments</p>	<p>PDF</p>

<p>PB EIDR Rules Regulations - 2023 Draft Amendments - clean copy, May 30 2023, 33 pages. PB EIDR Rules Regulations - 2023 Draft Amendments - redline, 5/30, 2023, 35 pages. Planning Board Special Permit Rules Regulations - 2023 Draft Amendments - clean copy, 5/30/2023, 38 pages. Planning Board Special Permit Rules Regulations - 2023 Draft Amendments - redline, 5/30/2023, 40 pages. Scenic Roads R&R - 2023 Draft Amendments - clean copy, 5/30/2023, 13 pages. Scenic Roads R&R - 2023 Draft Amendments - redline, 5/30/2023, 16 pages. Subdivision RR - 2023 Draft Amendments - clean copy, 5/30/2023, 79 pages. Subdivision RR - 2023 Draft Amendments - redline, 5/30/2023, 80 pages. UAMUD Rules and Regulations - 2023 Draft Amendments - clean copy, 5/30/2023, 31 pages. UAMUD Rules and Regulations - 2023 Draft Amendments - redline, 5/30/2023, 33 pages.</p>	
<p>Minutes 10-24-2023 PB Minutes - draft</p>	PDF