

**TOWN OF WESTWOOD**  
COMMONWEALTH of MASSACHUSETTS

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Kathleen Nee, Vice Chair  
Joshua C. Ames, Secretary  
Philip M. Giordano  
Christopher A. Pfaff



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DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT  
**PLANNING BOARD**

**DECISION OF THE PLANNING BOARD**

**Modification of Earth Material Movement (EMM) & Environmental Impact & Design  
Review (EIDR) Approval**

**APPLICANT** Dwight Dunk  
NSTAR Gas Company d/b/a Eversource Energy  
157 Cordaville Road  
Southborough, MA 02090

**PROPERTY OWNERS** NSTAR Gas Company d/b/a Eversource Energy  
PO Box 270  
Hartford, CT 06141

**PROPERTY LOCUS** 141 Woodland Road  
Assessor's Map 13, Lot 3

**BACKGROUND AND PROJECT SUMMARY**

Dwight Dunk on behalf of NSTAR (hereinafter "Applicant") filed an application (hereinafter "Application") requesting a modification to an EMM-EIDR Approval previously granted on January 21, 2020 (PB-19-58) pursuant to Sections 7.1 and 7.3 of the Town of Westwood Zoning Bylaw (hereinafter "Zoning Bylaw") to replace the Eversource meter station consisting of two (2) prefabricated buildings at 141 Woodland Road. The Applicant seeks a modification of the planting plan to fill in gaps and replace dead plants for visual screening purposes. The project is in the Single Residence C (SRC) zoning district and Water Resource Protection Overlay District (WRPOD).

**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 January 21, 2020, the Applicant received Earth Material Movement (EMM)-EIDR approval for the replacement of the meter station, including the landscaping plan of eastern red cedars and inkberry holly for visual screening.

2. On September 1, 2022, the Applicant provided a revised landscaping plan to the Town to replace initial plantings of eastern red cedar that did not survive with eastern white cedar due to availability. The replacements were complete in the same month.
3. On July 13, 2023, Town Planner Elijah Romulus and Conservation Agent Karon Catrone determined the following actions needed to be taken for visual screening purposes from the neighboring properties at a site visit:
  - a. replace two (2) eastern red cedar trees outside the southerly fence line;
  - b. replace fourteen (14) inkberry holly shrubs;
  - c. plant one (1) eastern white cedar tree and one (1) inkberry holly shrub inside the northerly fence line;
  - d. remove all watering bags from tree bases; and
  - e. repair broken fencing beside the gate.
4. The required actions were complete by October 31, 2023.
5. The Applicant submitted an Application requesting a Planning Board Modification of an EMM-EIDR Approval pursuant to Sections 7.1 and 7.3 that was filed with the Town Clerk on December 19, 2023 to address the change in tree species and additional plantings in order to achieve sufficient screening.
6. 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 December 19, 2023.
7. A public meeting for the Application was held on January 30, 2024. The Planning Board met remotely via Zoom.
8. Westwood Planning Board Members Ellen Larkin Rollings, Kathleen Wynne, Joshua C. Ames, Philip M. Giordano, and Christopher A. Pfaff deliberated on the Application at a duly authorized meeting on January 30, 2024.
9. In a roll call vote with five (5) in favor and none (0) opposed, the Planning Board found that the proposed modifications to be minor in nature.

## **PROJECT SPECIFIC FINDINGS**

1. The project site (hereinafter "Project Site" or "Property") is comprised of a 1.24-acre parcel.
2. The parcels are identified on the Westwood Board of Assessor's Map as 13, Lot 3.
3. The Property is located within the SRC zoning district and the southern tip of the parcel is within the WRPOD.
4. The Property is bordered by single-family residences in all directions.

5. The Applicant requests retroactive approval of the replacement of dead trees from eastern red cedar trees with eastern white cedar trees, as well as the replacement of fencing.
6. The modified Project minimizes 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.
7. The modified Project maximizes pedestrian and vehicular safety on the site and egress to and from the site.
8. The modified Project minimizes obstruction of scenic views from publicly accessible locations.
9. The modified Project minimizes visual intrusion by controlling the visibility of parking, storage, or other outdoor services areas viewed from public ways or premises residentially used or zoned.
10. The modified Project minimizes glare from headlights and lighting intrusion.
11. The modified Project minimizes unreasonable departure from the character, materials and scale of buildings in the vicinity, as viewed from public ways and places.
12. The modified Project minimizes contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances.
13. The modified Project ensures compliance with the provisions of Sections 7.1 and 7.3, including parking, landscaping, exterior lighting, and noise.
14. EMM operations were complete in adherence of the conditions of the January 21, 2020 decision per Section 7.1
15. The beneficial effects of the project 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 Sections 7.1 and 7.3 of the Zoning Bylaw.
16. The Project, as modified by the Conditions of this Decision, is not 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 Sections 7.1 and 7.3 of the Zoning Bylaw.

## WAIVERS

No waivers were requested by the Applicant for the Planning Board to consider in this decision.

## 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 December 19, 2023, and all material submitted through the close of the public meeting on January 30, 2023. All of the following plans and materials are hereby incorporated by reference and made part of this Decision:

1. Modification Application #PB-23-62 submitted by the Applicant and received by the Town Clerk on December 19, 2023, consisting of six (6) pages
2. "Planting Plan" prepared by VHB of 101 Walnut Street, PO Box 9151, Watertown, MA 02471, stamped by Registered Landscape Architect Kathleen Marie Lynch, dated January 8, 2020, consisting of one (1) sheet
3. Previously approved site plans entitled "Site Plan Woodland Road Meter Station Replacement Project 141 Woodland Road, Westwood, MA", prepared by Odin of 2 Highwood Drive, Tewksbury, MA 01876, not stamped, dated July 16, 2019 and revised through January 10, 2020, consisting of one (1) sheet
4. Memo entitled "Environmental Impact and Design Review (EIDR) Earth Material Movement (EMM) 141 Woodland Road, - NSTAR Gas Company d/b/a Eversource Energy Issued: January 21, 2020" from Epsilon Associates, Inc. of 3 Mill & Main Place, Suite 250, Maynard, MA 01754, addressed to Town Planner Elijah Romulus, dated September 11, 2023, consisting of three (3) pages

## DECISION

On January 30, 2024, 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 Minor Modification of the limited consolidated EMM-EIDR pursuant to Sections 7.1 and 7.3 of the Zoning Bylaw for the Project as described above and in the Application therefore filed with the Town Clerk on December 19, 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 Environmental Impact & Design Review (EIDR) Approval and Consolidated Earth Material Movement (EMM) 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. All Project-related construction activities 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.
5. Applicant shall promptly repair any damage which Applicant causes to sidewalks, street pavement, signs or other fixtures or features within the public right of way, after obtaining permission from the Town. Such repairs shall be performed to Town of Westwood standards.
6. 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.
7. The applicant will schedule a site walk with the Town Planner and Conservation Agent between April 15 and May 15, 2024 in order to review whether or not plantings are in place. Applicant to make any additional plantings or replacements based on said review.

**RECORD OF VOTE**

The following members of the Planning Board voted on January 30, 2023 to grant the minor modification of the EMM-EIDR Approval for the abovementioned Project with conditions as set forth above: Ellen Larkin Rollings, Kathleen Nee, Joshua C. Ames, Philip M. Giordano, and Christopher A. Pfaff.

The following members of the Planning Board voted in opposition to the grant of the minor modification of the limited EMM-EIDR Approval for the abovementioned Project: none (0).



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Elijah Romulus, Town Planner  
February 1, 2024