

Westwood Planning Board Minutes
Tuesday, March 12, 2024
7:00 p.m.
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 March 12, 2024 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 Nee.

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

Consideration of Proposed Minor Modifications to Earth Material Movement Environmental Impact & Design Review (EMM-EIDR) Approval for Proposed Gas Station/Convenience Store Redevelopment at 394 & 396 Providence Highway

Attorney Michael Brown and Daniel Petrovic of DiPrete Engineering were present to discuss 2 items for an application for modification about parking and requested permission from the building dept to use chain link fence to enclose the dumpster. They have since enclosed the dumpster with a wooden stockade fence per General Bylaw. Mr. Brown stated that for the accessible parking, only one is required and was asked to re-arrange some parking. Mr. Romulus submitted the site plan, still requiring 2 ADA spaces. Mr. Petrovic wants to share the striped area; the total count is 15 spaces with 1 van accessible space. Moving the location, still above the requirement.

Staff & Board Comments:

- Ms. Loughnane: 2 Accessible parking spaces will accessible parking be on the final plan? *Mr. Petrovic: Non-accessible cars can still use the accessible EV parking space. You have an as-built plan, and needs to be noted on the plan. It could be a condition of approval. It still needs a final record plan.*
- Clarify that one spot is available for persons with disabilities all the time.
- When first approved, where were the accessible parking spots? *Mr. Petrovic: Closer to the door, never painted, they were moved during construction.*
- Is there equal access? *Mr. Petrovic: Yes, that is correct.*
- What is the signage? *In front of van accessible, there is a wall mounted sign, and there is striping to differentiate.*
- Mr. Romulus: Typically they would come if there was a change, things were altered because of the EV charging station.
- Mr. Brown is not sure when the change happened. He understands that going forward they will get permission.
- Process failure, is there a mechanism in place? What process do we have in place? *Mr. Romulus: On an inspection the building inspector saw the changes. That is the mechanism.*
- Ellen: Any concerns about the change of the ADA shared space? Is it acceptable? *Mr. Romulus: Building Commissioner Mike Perkins felt it to be compliant. One space is mandated. New spaces are not significantly far from the original space.*
- Mr. Romulus: This situation may present itself in the future as the code has changed for ADA and EV charging. Nice to see EV charging stations for ADA.

Action Taken:

Motion for Modification Determination:

Mr. Ames moved that the Planning Board determine the Modification of the Environmental Impact & Design Review (EIDR) Approval and Earth Material Movement (EMM) for the Colbea Shell/Seasons Market at 394 & 396 Providence Highway, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on January 23, 2024, to be minor in nature.

Ms. Nee seconded the motion.

Roll Call Vote:

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

Motion for Minor Modification of EIDR-EMM:

Mr. Ames moved that the Planning Board grant a Minor Modification of the Environmental Impact & Design Review (EIDR) Approval and Earth Material Movement (EMM) for the Colbea Shell/Seasons Market at 394 & 396 Providence Highway, as described in the Application therefore submitted to the Planning Board and filed in the Office of the Town Clerk on January 23, 2024, 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. 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. Prior to the issuance of a permanent occupancy permit, the applicant shall submit an updated site plan to indicate a wooden stockade fence on all four sides of the dumpster enclosure and corrected ADA space marking as discussed on March 12, 2024, for review and approval by the Town Planner.

Ms. Nee seconded the motion.

Mr. Ames amended his motion to add the ADA space marking as discussed on March 12, 2024.

Ms. Nee seconded the motion.

Roll Call Vote:

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

Review Street Acceptance Requests Submitted for Annual Town Meeting: Ellis Street and Porter Street

Mr. Romulus stated that there is still a review in process. Now it is up to the survey team to adjust the plans. Porter Street has been accounted for. Ellis Street, we are still waiting from BETA to get back to us. Mr. Romulus suggested a continuance to account for the streets. Inspections still need to be made on Hedgerow Lane. The Planning Board can make a decision on March 26, 2024.

Board Comments:

Meet in advance before the Finance & Warrant Commission Public Hearing around 6:30 p.m.

Action Taken:

Motion for Continuance of Street Acceptance Recommendation:

Mr. Ames moved that the Planning Board continue the following roadways for street acceptance at the May 2024 Annual Town Meeting, Ellis Street (a portion of), and Porter Street (a portion of) to an in-person meeting of the

Planning Board and Finance and Warrant Commission Final Public Hearing on Tuesday March 26, 2024, beginning at 6:30 p.m. at the Public Library Community Meeting Room, 660 High St, Westwood, MA 02090.

Ms. Nee seconded the motion.

Roll Call Vote:

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

Public Hearing for Consideration of a Limited Environmental Impact & Design Review (EIDR) Approval to Construct an Addition to a Private School Building with Parking Alterations at 1054 High Street (continued from 1/30/24)

Mr. Romulus stated that the applicant has requested a continuance.

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 WEDNESDAY, April 24, 2024, 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. Nee seconded the motion.

Roll Call Vote:

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

Ms. Nee made a friendly amendment to September 13, 2023 as written (2024 was stated in original motion)

Mr. Ames seconded the motion.

Roll Call Vote:

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

Public Hearing for Zoning Bylaw and General Bylaw Amendment Articles for May 2024 Annual Town Meeting (continued from 2/27/24), including:

Articles for consideration include:

Potential Amendments to Zoning Bylaw & Zoning Map Amendments Relative to Mixed Use & Multi-Family Residential Overlay District

Potential Amendments to Zoning Bylaw & Zoning Map Amendments Relative to Wireless Communication Facilities

Potential Amendments to Zoning Bylaw Amendments Relative to Definitions

Potential Amendments to Zoning Bylaw Amendment Relative to Zoning Map References for Overlay Districts

Potential Amendments Relative to Accessory Apartments

Potential Amendments to General Bylaws Relative to Solid Waste

Ms. Loughnane stated that the Planning Board has 6 articles. An error was found at the Finance & Warrant Commission Public Hearing. Article 3 part 5, the illustrations were reversed. It is a change to address the illustrations for wall height. For part 6, the illustrations were reversed.

There were very few comments on the articles, only on Article 1.

Ms. Loughnane went through the proposed articles briefly.

No recommended changes from the Finance & Warrant Commission.
Ms. Loughnane suggested discussing Article 1.

Board Comments:

- Heard at the FinCom Meeting it still feels like the bulk of the parcels are on the Islington side of Town.
- The Planning Board feels that the parcels chosen are good.
- We need to comply with state law, this is the best opportunity.
- This is the MBTA law which is at University Ave and Islington.

Ms. Loughnane shared the spreadsheet and percentage of the parcels at each location.

Allied Drive: 8%
Islington: 24.4%
University Station: 63.3%
109: 4.2%

Mr. Romulus and Ms. Loughnane met with Fin Com members to discuss Westwood Glen and Highland Glen parcels.

Public Comments:

Ms. F. Fusco, 20 Pine Lane typed in chat: Hypothetically, how many units can you expect on each parcel of 109? I thought I heard 40. Ms. Loughnane: Yes, 40 units by right is the calculation of all 3 parcels total with ground floor commercial. 15 units per acre. Is that a minimum? Ms. Loughnane: There is no minimum.

Action Taken:

Motion for Approval:

Ms. Nee moved that the Planning Board recommend favorable consideration of the proposed Zoning Bylaw and General Bylaw Amendment Articles, as amended on March 12, 2024, by the Finance & Warrant Commission and by voters at the May 2024 Annual Town Meeting.

PB-1

Potential Amendments to Zoning Bylaw & Zoning Map Amendments Relative to Mixed Use & Multi-Family Residential Overlay District

PB-2

Potential Amendments to Zoning Bylaw & Zoning Map Amendments Relative to Wireless Communication Facilities

PB-3

Potential Amendments to Zoning Bylaw Amendments Relative to Definitions

PB-4

Potential Amendments to Zoning Bylaw Amendment Relative to Zoning Map References for Overlay Districts

PB-5

Potential Amendments Relative to Accessory Apartments

PB-6

Potential Amendments to General Bylaws Relative to Solid Waste

Mr. Pfaff seconded the motion.

Roll Call Vote:

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

Review of Draft Meeting Minutes from February 13, 2024 & February 27, 2024

Upon a motion made by Mr. Pfaff and seconded by Ms. Nee, the Planning Board voted in favor (5-0) to accept the minutes from February 13, 2024 as presented.

Roll Call Vote:

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

Upon a motion made by Mr. Pfaff and seconded by Ms. Nee, the Planning Board voted in favor (4-0-1) to accept the minutes from February 27, 2024 as presented.

Roll Call Vote:

Ellen Larkin Rollings-Yes

Joshua C. Ames-Abstain
Philip M. Giordano-Yes
Christopher A. Pfaff-Yes
Kathleen Nee-Yes

Updates from Agency and Committee Representatives

- Mr. Romulus gave an update on the Climate Action Task Force will host a public meeting at the Library on April 11, 2024 at 7 p.m. The goal is to have a public ready document.
- MBTA Communities Law-PSA was produced with WMC; it is about 6 ½ minutes long. It will be on their channel and website.
- General Miscellaneous Updates and Administrative Items Upcoming Board Meetings: April 2, 2024, April 24, 2024 (Wednesday)
- Upcoming Finance & Warrant Commission Hearing: March 26-27, 2024
- Annual Town Meeting: May 6, 2024

Adjournment

Upon a motion made by Ms. Nee and seconded by Mr. Ames, the Planning Board voted in favor (5-0) via roll call vote to adjourn at 8:35 p.m.

Roll Call Vote:

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

List of Documents

Link to Documents: [2024/03/12 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>394 Providence Hwy Providence Hwy 394 - Narrative, DiPrete Engineering, 11/16/2023, 1 page. Providence Hwy 394 - Previously Approved Plans, DiPrete Engineering, 9/8/2022, 23 pages. Providence Hwy 394 - Proposed Site Plan, DiPrete Engineering, 11/15/2023, 1 page. Providence Hwy 394 - Dumpster Enclosure Description, DiPrete Engineering, 1/22/2024, 1 page.</p>	PDF
<p>Review of Street Acceptance Requests Submitted for Annual Town Meeting: Ellis Street, Porter Street, and Hedgerow Lane (continued from 2/13/24) Continued to 3/26/2024 Hedgerow Ln - Map Ellis Street - Map Ellis St - DPW A-215 Ellis St - DPW A-284 Ellis St - DPW B-013 Ellis St - Land Court Plan # 865-A Ellis St - Land Court Plan # 865-F Pg 3 Ellis St - Land Court Plan # 865-F Pg 4 Ellis St - Land Court Plan # 865-V Ellis St - Land Court Plan # 865-Y Porter Street - Map Porter St - Registry Plan #2003-308 Book-Page 508-308 Porter St - DPW A-338a Porter St - DPW A-338b Porter St - DPW A-359-1 Porter St - DPW A-359-1a Porter St - DPW A-359-2 Porter St - DPW A-359-2a</p>	PDF

<p>Porter St - DPW A-359-3 Porter St - DPW A-359-3a Porter St - DPW A-410 Porter St - DPW B-106-1 Porter St - DPW B-106-2 Porter St - DPW B-106-3 Porter St - DPW B-133</p>	
<p>1054 High Street-Continued to April 24, 2024 High St 1054 - Legal Notice High St 1054 - Narrative High St 1054 - Renderings & Photos High St 1054 - Site Plan - Existing R2 - 2024-02-20 High St 1054 - Site Plan - Proposed R4 - 2024-02-20 High St 1054 - Stormwater Report R2 2024-02-20 High St 1054 - Erosion Control 2024-02-20 High St 1054 - Operations_Maintenance Plan R2 2024-02-20 High St 1054 - Renderings & Photos High St 1054 - Exterior Lighting Plan Waiver High St 1054 - Traffic Impact Study Waiver High St 1054 - Site Plan - Existing High St 1054 - Site Plan - Proposed High St 1054 - Site Plan - Proposed R1 High St 1054 - Site Plan - Proposed R2 High St 1054 - Site Plan - Proposed R3 High St 1054 - Landscape Plan 2023-11-06 High St 1054 - Stormwater Report High St 1054 - Stormwater Waiver High St 1054 - Operations_Maintenance Plan High St 1054 - Peer Review 1 - 2023-10-06 High St 1054 - Peer Review 1 Response - 2023-10-20 High St 1054 - Peer Review 2 - BETA Markup - 2023-12-07 High St 1054 - Peer Review 3 - 2023-12-18</p>	<p>PDF</p>
<p>Public Hearing for Zoning Bylaw and General Bylaw Amendment Article for May 2024 Annual Town Meeting (continued from 2/27/24) 2024 Public Hearing Notice Long Version 031124 Draft - Recorded, Westwood Planning Board, 3/11/2024, 18 pages. Updated Parcel List - 021324, 1 page. Housing Partnership Recommendation 2024-02-12, 1 page. Town of Westwood Zoning Amendments Page, Westwood Website. Town of Westwood About the MBTA Communities Law, Westwood Website. Blue Hill Drive - Planning Board - Zoning_24February11, Wall Street Development Corp., 2/11/2024, 8 pages. PB Warrant Article Presentation to FinCom 022724 - updated 022824, Westwood Planning Board, Power Point, 2/27/2024, 59 pages.</p>	<p>PDF</p>
<p>Review of Draft Meeting Minutes from February 13 & 27, 2024 02-27-24 PB Minutes - draft 02-13-24 PB Minutes - draft</p>	<p>PDF</p>