

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

Ellen Larkin Rollings, Chair
Sean R. Weller, Vice Chair
Joshua C. Ames, Secretary
Philip M. Giordano
Kathleen Nee



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

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
PLANNING BOARD

DECISION OF THE PLANNING BOARD

Minor Modification of an Earth Material Movement - Environmental Impact and Design Review (EMM-EIDR) & Special Permit for Reduction in Required Minimum Number of Parking Spaces
May 14, 2024

PROPERTY LOCUS 190 Washington Street
Assessor's Map 16, Lot 162

APPLICANT & PROPERTY OWNER Skye Realty Management LLC
1208 VFW Parkway, #200
West Roxbury, MA 02123

APPLICATION #PB-24-16

BACKGROUND AND PROJECT SUMMARY

Peter Zahka on behalf of Skye Realty Management LLC (hereinafter "Applicant") filed an application (hereinafter "Application") requesting a modification to a consolidated EMM-EIDR pursuant to Sections 7.1 and 7.3 and Special Permit for Reduction in Required Minimum Number of Parking Spaces Approval previously granted on August 8, 2023 (PB-23-26) pursuant to Section 6.1.9.1 of the Town of Westwood Zoning Bylaw (hereinafter "Zoning Bylaw") to demolish and rebuild the structure with an increased roof height of 29' 6" and increase in each ceiling height to 9' instead of renovating and expanding for a bottom-floor salon and second-floor office at 190 Washington Street. The project (hereinafter "Project") is in the Local Business B (LBB) 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. The Applicant submitted an Application requesting a Planning Board Modification of a consolidated EMM-EIDR Approval and Special Permit for Reduction in Required Minimum Number of Parking Spaces pursuant to Sections 7.1, 7.3, and 6.1.9.1 that was filed with the Town Clerk on May 2, 2024.
2. 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 May 2, 2024.
3. Public meeting for the Application was held on May 14, 2024 remotely via Zoom.
4. Westwood Planning Board Members Ellen Larkin Rollings, Kathleen Nee, Joshua C. Ames, Philip M. Giordano, and Sean R. Weller deliberated on the Application at a duly authorized meeting on May 14, 2024.
5. 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 0.31-acre parcel and bordered by residential development on all sides.
2. The Property will have a first-floor hair salon and second-floor office space, which was originally approved as a renovation and expansion of the existing structure.
3. Internal demolition revealed the existing structure could not be used due to the following conditions that will inhibit the previously approved design:
 - a. Multiple patches over the years that must be removed and reworked;
 - b. Extra large steel beams positioned in inconducive locations;
 - c. Existing 2"x4" exterior walls that limit the efficiency of the proposed insulation; and
 - d. Existing roof framing that must be removed.
4. The Project, as modified by this Decision, will use the originally approved floor and site plans originally approved, but increase the first floor finished ceiling height from 8' to 9' and second floor finished ceiling height from 8' 10" to 9', resulting in a new roof ridge height increase from 27' 5" to 29' 5" above mean grade.
5. 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 Sections 7.1 and 7.3 of the Zoning Bylaw.
6. 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 7.1, 7.3, and 6.1.9.1 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 May 2, 2024, and all material submitted through the close of the public meeting on May 15, 2024. All of the following plans and materials are hereby incorporated by reference and made part of this Decision:

1. Modification Application #PB-24-16 submitted by the Applicant and received by the Town Clerk on May 2, 2024, consisting of three (3) pages
2. "Project Narrative, Modification of Consolidated Special Permit and EIDR Approval" prepared by the Applicant, no date, consisting of three (3) pages
3. Previously approved plans entitled "Site Development Plans, 190 Washington Street, Westwood, MA 01840", prepared by Marchionda & Associates, L.P. of 62 Montvale Avenue, Stoneham, MA 02180, dated April 12, 2023 and revised through July 31, 2023, consisting of 23 sheets
4. Site plans and elevations entitled "Request to Modify Previously Approved Project", prepared by the Applicant, dated March 25, 2024 and revised through May 6, 2024, consisting of fourteen sheets
5. "Property Owner Application Authorization" signed by Michael Barsamian, Manager of Skye Realty Management, LLC, dated April 24, 2024, consisting of one (1) page

DECISION

On May 14, 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 consolidated EMM-EIDR Approval and Special Permit for Reduction in Required Minimum Number of Parking Spaces pursuant to Sections 7.1, 7.3, and 6.1.9.1 of the Zoning Bylaw for the Project as described above and in the Application therefore filed with the Town Clerk on May 2, 2024, 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 and with the conditions of all prior decisions, 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 EMM-EIDR approval and Special Permit for reduction in required minimum number of parking spaces 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 shall submit a revised set of site plans, elevations, and views updating the Washington Street building facade, as discussed at the May 14, 2024 hearing. Said plan shall be reviewed and approved by the Town Planner if consistent with the intentions expressed by a majority of Planning Board members at the May 14, 2024 hearing.
5. Prior to the issuance of a Building Permit the applicant must submit a revised Landscaping Plan indicating three (3) American hornbeam, *Carpinus caroliniana*, 8-10' HT, in the landscaped space fronting Washington Street between the curb cut and Waldo way, as well as a native species replacement of the 200 gray headed coneflowers to be reviewed and approved by the Town Planner.
6. This decision grants replacement of building foundation to the extent allowable by the Building Commissioner.
7. Applicant shall adhere to the conditions of approval per the Planning Board EMM-EIDR Approval and Special Permit for Reduction of Required Minimum Number of Spaces Decision approved on August 8, 2023.
8. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.

RECORD OF VOTE

The following members of the Planning Board voted on May 14, 2024 to grant the minor modification of the Limited EMM-EIDR for the abovementioned Project with conditions as set forth above: Ellen Larkin Rollings, Kathleen Nee, Joshua C. Ames, Philip M. Giordano, and Sean R. Weller

The following members of the Planning Board voted in opposition to the grant of the minor modification of the application Approval for the abovementioned Project: none.



Elijah Romulus, Town Planner
May 23, 2024