

TOWN OF WESTWOOD By: Westwood Town Clerk
COMMONWEALTH of MASSACHUSETTS

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Sean R. Weller, Vice Chair
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DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
PLANNING BOARD

DECISION OF THE PLANNING BOARD

Modification of Flexible Multiple Use Overlay District (FMUOD) Special Permit,
Consolidated Environmental Impact and Design Review (EIDR) Approval, & Water
Resource Protection Overlay District (WRPOD) Approval
June 25, 2024

PROPERTY LOCUS	909 High Street Assessor’s Map 21, Lot 42 & 43
APPLICANT & PROPERTY OWNER	Todd Sullivan 101 Fieldstone Road Westwood, MA 02090
APPLICATION	#PB-24-32
ZONING DISTRICT(S)	Local Business A (LBA) FMUOD7 WRPOD

BACKGROUND AND PROJECT SUMMARY

Todd Sullivan (hereinafter “Applicant”) filed an application (hereinafter “Application”) requesting a modification to an FMUOD Special Permit pursuant to Section 9.5 of the Town of Westwood Zoning Bylaw (hereinafter “Zoning Bylaw”) and consolidated EIDR and WRPOD Approval pursuant to Sections 7.3 and 9.3 previously granted on April 11, 2023 (PB-22-64) for a project (hereinafter “Project”) at 909 High Street. The approved Project included the conversion of the Obed Baker House into two-family apartments, demolishing the existing cemetery barn, and constructing a new 5,730 sq. ft. animal clinic with associated parking, landscaping, lighting, utility services, and stormwater management systems. The proposed modification includes a change of use to allow an animal clinic, personal services establishment, and/or an office of health care professionals instead of the previous approval for only an animal clinic. The modification request also includes the reduction of the commercial building project area.

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 modification of a FMUOD Special Permit, EIDR, and WRPOD Approval pursuant to Section 7.3, 9.5, and 9.7 that was filed with the Town Clerk on June 20, 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 June 20, 2024.
3. Westwood Planning Board Members Ellen Larkin Rollings, Kathleen Nee, Joshua C. Ames, Philip M. Giordano, and Sean R. Weller held a duly authorized public meeting via Zoom and deliberated on the Application on June 25, 2024.
4. 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 two parcels totaling 1.49 acres.
2. The parcel identified on Assessor's Map 21 as Lot 42 currently contains the Obed Baker House and barn used for the Town of Westwood's cemetery maintenance.
3. The parcel identified on Assessor's Map 21 as Lot 43 is currently undeveloped.
4. The Property is bordered by commercial development to the west and south, and cemetery property to the north and east.
5. The beneficial effects of the project will 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 7.3, 9.5., and 9.7 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 Sections 7.3, 9.5, and 9.7 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 June 20, 2024, and all material submitted through the close of the public meeting on June 25, 2025. All of the following plans and materials are hereby incorporated by reference and made part of this Decision:

1. Modification Application #PB-24-32 submitted by the Applicant and received by the Town Clerk on June 20, 2024, consisting of three (3) pages
2. Site Plan titled "Site Layout, Landscaping and Lighting Plan," prepared by Site Design Professionals, LLC, One Merchant Street – Suite 110, Sharon, MA, 02067, dated December 20, 2022 and revised through March 21, 2023, and stamped by Paul Brodmerkle, PE, consisting of one (1) sheet.
3. Architectural Plan titled "OBED Baker" prepared by Richard B. Levey Architects, 30 Jacobs Terrace, Newton, MA 02459, dated June 6, 2024 and revised through June 11, 2024, consisting of nine (9) sheets.
4. Document titled "Description," undated, consisting of one (1) page
5. Document titled "Additional Description," undated, consisting of one (1) page
6. Document titled "Town of Westwood, Massachusetts Declaration of Restrictive Covenant," undated, consisting of five (5) pages
7. Document titled "Proposed RFP Revisions," undated, consisting of four (4) pages
8. Document titled "Decision Select Board," dated June 24, 2024, consisting of one (1) page

DECISION

On June 25, 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 FMUOD Special Permit, EIDR, and WRPOD Approval pursuant to Sections 7.3, 9.5, and 9.7 of the Zoning Bylaw for the Project as described above and in the Application therefore filed with the Town Clerk on June 20, 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 FMUOD Special Permit consolidated EIDR & WRPOD approval 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. Notwithstanding the above, the Town Planner may grant Administrative EIDR Approval for a Change of Use for the proposed commercial structure if said use is found by the Town Planner to be:
 - a. A commercial use permissible within the FMUOD overlay district;
 - b. A commercial use consistent with the Applicant's Modified Proposal in response to RFP #ECON-22-R-003 which was accepted by the Select Board on June 24, 2024;and
 - c. A commercial use which has parking requirements and traffic generation that are no greater than the parking requirements and traffic generation which were reported to the Planning Board at the time of the original Special Permit Approval in April 2023.
5. Prior to the issuance of a building permit the applicant must submit documentation and samples indicating the type and color of brick, the type of mortar joint, and the color of mortar to be used for the brick veneer on the replaced chimneys, to ensure aesthetic consistency with historic brick chimneys of other historic properties on High Street and the surrounding area; with the type of brick used to be waterstruck or other molded brick, and not wirecut or extruded; for review and approval by the Town Planner
6. If any hazardous materials associated with the proposed commercial use would otherwise require a Water Resource Protection Overlay District (WRPOD) Special Permit then the applicant shall return to the Planning Board to request an amendment to this FMUOD Special Permit.
7. Prior to the issuance of a building permit for the commercial use building the applicant must submit an updated site plan reflecting the reduction of the Project Area per the Modified Proposal in response to RFP #ECON-22-R-003 which was accepted by the Select Board on June 24, 2024, for review and approval by the Town Planner.

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 June 25, 2024 to grant the FMUOD Special Permit, EIDR, and WRPOD Approval 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
June 27, 2024