

APPROVED

On Meeting Date: 7/17/24

Zoning Board of Appeals
Remote Participation, Zoom Video Conference Call
Meeting Minutes – June 12, 2024

Members present: Chair John Lally, Michael McCusker and Linda Walsh

Staff Members Present: Zoning and Licensing Agent Karyn Flynn

The meeting was called to order by Chair John Lally at 7:10 pm. Ch. Lally gave a brief description of the proceedings, including a description of instructions for remote participation by the public. All those present for the meeting who anticipated giving testimony were sworn in.

Address: 710-722 High Street

Petitioner: Lauren Sagaser of Global Montello Group Corp.

Project: The applicant has submitted a written request to the Board for a second One-year extension to their Special Permit granted on 7/21/2021 and recorded in the office of the Town Clerk on August 3, 2021. The Board granted the first one-year extension on July 19, 2023. The written request was submitted prior to the one-year extension lapsing per the Board's regulations. The applicant states the reason for the Extension request is due to long lead times for materials and significant cost increases. The original special permit was granted pursuant to the Westwood Zoning Bylaw Sections §4.1.5.10 [Motor Vehicle Light Service facility] and §9.3.5.1 [Storage of Petroleum Products within the Water Resource Protection Overlay District]. The proposed redevelopment includes the merger of 710 and 722 High Street. The front and developed portions of the property are in the Local Business A (LBA) zoning district and the rear portions are in the Single Residence C (SRC) zoning district, the Flexible Multiple Use Overlay District (FMUOD 7), Water Resources Protection Overlay District (WRPOD), and Wireless Communications Overlay District (WCOD).

Ch. Lally read a project summary and the applicant request for a one-year extension public hearing notice and asked if the applicant was in attendance. Ms. Flynn stated that Luke DeStefano of Bohler Engineering was in attendance.

Ch. Lally asked Ms. Walsh if she had any questions. Ms. Walsh stated that the Conservation Commission approval will expire in May of 2025, and that she hoped that project would move forward before that expires and that this would be the last extension requested. Mr. DeStefano stated that he hoped so but that some setbacks that have conspired against them, and it has been challenging. Mr. DeStefano stated the applicant is committed and the goal is to push as hard as they can to build the project. Mr. McCusker stated that he did not have any questions.

Mr. McCusker moved the Westwood Zoning Board of Appeals grant the One Year Extension to the Special Permit granted on August 3, 2021 and extended by one-year on July 19, 2023 for 710-722 High Street. The one-year extension will expire on July 19, 2025. The Motion was seconded by Ms. Walsh. Ch. Lally called a roll call vote; the Board voted unanimously via roll call grant the special permit one-year extension for 710-722 High Street.

Address: 44 Coach Lane

Petitioner: Patrick Beerman

Project: The Board shall hear an application filed by Patrick Beerman for a Special Permit pursuant to the Westwood Zoning Bylaw Sections §4.3.3.12 [Accessory Uses – Accessory Apartments] and §8.5 [Accessory Apartments]. The Petitioner proposes to construct an accessory apartment addition over an existing two car garage attached to a single-family home. The property is located in the SRE (Single Residential E) zoning district.

Ch. Lally read the public hearing notice and asked if the applicant was in attendance. Ms. Flynn stated that Patrick Beerman was in attendance. Ch. Lally asked Mr. Beerman to present the project.

Mr. Beerman introduced himself as the homeowner and lives at 44 Coach Lane with his wife and two small sons. Mr. Beerman stated they had moved to Westwood 3 years ago and love the Town and the surrounding community. He stated that they

want to make this home their forever home. The accessory apartment would be for his Westwood Town Clerk lives in Virginia and would like to move closer to her grandchildren. As they are planning for the future and what would work for their family they looked at options and noted that Westwood looks favorably at accessory apartments as a housing choice and decided to go that route. Mr. Beerman displayed plans and described the project as building the accessory apartment directly over the existing two car garage. They would be building a staircase as a second means of egress and the roof would be the similar pitch as the existing home. He stated that the home will maintain the appearance of a single-family home and that he would be living in the primary home. Mr. Beerman stated the size of the apartment meets the design requirements in the bylaw at 717 sq. ft.

Ch. Lally asked the applicant if there was another apartment on the property. The applicant answered there was not. Ch. Lally asked if this home is the applicant voting address. Mr. Beerman stated it was. Ch. Lally asked if there were adequate utilities available on site. Mr. Beerman stated there was. Ch. Lally stated from the plans displayed the home was maintaining the look of a single-family residence Ch. Lally asked if all egresses were enclosed. Mr. Beerman stated they were.

Ch. Lally asked the other Board members if they had any questions and they answered that they did not. Ch. Lally then asked Ms. Flynn if the Building commissioner had reviewed the revised elevations and Ms. Flynn said that he had and confirmed all measurements.

Ch. Lally asked Ms. Flynn to open up the hearing to public comment. Ms. Flynn stated there were a few hands raised amongst the attendees and asked each person to state their name and address for the record upon being let into the hearing. Mr. Kraft of 30 Coach Lane stated he was a direct abutter to Mr. Beerman and wanted to show his support for the project. The next person to speak introduced himself as Walter Conte of 50 Coach Lane. Mr. Conte stated he was also in favor of the project and hoped the Board would approve the project. Ms. Flynn then stated that there were no more hands raised in the attendees and no questions in the Question & Answer queue. Ch. Lally declared the hearing closed.

Ms. Walsh moved that Zoning Board of Appeals grant the Special permit for 44 Coach Lane pursuant to Westwood Zoning Bylaw Sections § 4.3.3.12 [Accessory Uses – Accessory Apartments] and §8.5 [Accessory Apartments]. The Motion was seconded by Mr. McCusker. Ch. Lally called a roll call vote; the Board voted unanimously via roll call grant the special permit for 44 Coach Lane.

Address: 154 University Avenue

Petitioner: Aaron Guazzaloca on behalf of Weston & Sampson

Project: Special Permit pursuant to the Westwood Zoning Bylaw Section §9.3.5.1 [storage of hazardous materials in the Water Resource Protection Overlay District] and a Variance pursuant to Sections §10.4 and 5.2 [dimensional requirements], footnote 3. The Petitioner proposes to construct an approximately 2,831 sq. ft addition to the front of the existing Dedham Westwood Water District White Lodge Treatment Plant located at 154 University Avenue, Westwood. The parcel itself is nonconforming due to lack of frontage on a public way. The proposed addition would create a new non-conformity with the front of the building at 12.6' from the closest street line where 50' is required. The property is located in the Industrial(I) zoning district, and within the Water Resource Protection Overlay District (WRPOD).

Ch. Lally read the public hearing notice and asked if the applicant was in attendance. Ms. Flynn stated that there were several members from Weston & Sampson in attendance and stated Aaron Guazzaloca was the applicant. Mr. Guazzaloca introduced himself and then Allie Goldberg of Weston & Sampson as the Project Manager. Ms. Goldberg then stated that Mr. Guazzaloca is the Civil engineer, Brian McCusker is the Architect for the project and Ashley Dunn representing Dedham Westwood Water.

Ms. Goldberg stated that this project began back in 2022, when Dedham Westwood Water District (DWWD) asked Weston & Sampson to do a feasibility study tracking PFAS. She stated that the water plant currently treats for Iron and Manganese, but not PFAS. Ms. Goldberg stated they completed a six-month pilot program to test different media and how effective they were at removing PFAS from the drinking water. She said the design phase of the building addition to house the PFAS vessels that hold the PFAS media that was determined to be most effective from the study. Ms. Goldberg stated that the proposed addition is approximately 2800 sq. ft and will match the brick exterior of the existing building. She said that there would be very little site work with this project, but the addition will be located in the setback. Ms. Goldberg stated that the project

was in line to receive state funding and the plan is to build the addition next summer. Ms. Goldberg said that they must submit 100% complete design plans to Department of Environmental Protection (DEP) in October to receive the allocated state funding.

Ch. Lally asked that the site plan be displayed. While waiting for the plan, Ms. Flynn asked if the applicants could give a quick explanation on what PFAS are for interested residents. Ms. Goldberg stated PFAS are contaminants found in the drinking water and that the Environmental Protection Agency (EPA) just released new standards for PFAS concentrations and it is more stringent. The White Lodge plant does not exceed the Massachusetts drinking water concentration limits and is looking to be proactive, knowing that the new regulations will be coming and want to get a head of them. She said that the prep work and the pilot study that has been done will put Westwood in a good spot for compliance. Ms. Goldberg stated that the proposed new system removes PFAS from the drinking water through absorption. She said that the DEP approves certain types of media as approved technology in treating PFAS and that part of the pilot study is used as proof to the DEP that the media selected removes PFAS to non-detect levels. Ms. Goldberg said that the system being proposed will use pressure vessels and the approved media, and as water flows through them PFAS get absorbed into the media itself. She said as the water leaves the vessels it is now has non-detect levels of PFAS. Ms. Goldberg then displayed a diagram showing the pressure vessels and described how the water enters the vessels and goes through the media and then finally exits. Ms. Goldberg also indicated there are intermediate sample ports for quality testing on the pressure vessel that lets DWWD know when to arrange to have the media changed out. Ms. Goldberg stated that the proposed new system and addition to the plant itself must be located on the site at the front of the existing building as it ties into the existing discharge port. She said the proposed PFAS treatment system becomes the last treatment for the water before it leaves the plant for distribution.

Ch. Lally asked for the applicant to discuss why the project needs variance. Mr. Guazzaloca displayed the site plan and indicated the existing building and the addition and stated there would be minimal site work on the project and indicated the front setback of the existing building and then the setback with the proposed addition is 12.6' feet from the right of way. He pointed out the strip of land owned by an abutter between DWWD property line and the right of way. He stated that DWWD has access rights to install utility infrastructure in the strip of land.

Ch. Lally asked what makes the property unique and could the addition be located in any other area on the property. Mr. Guazzaloca stated there was no other feasible location on the property to place the addition. He then pointed to the parking area and described how trucks need the full width of the lot to swing around and make deliveries. He stated for the addition to be located anywhere else on site would require extensive upgrades and renovations to the existing water treatment plant, making the project not financially feasible. Mr. Guazzaloca stated that due to the nature of the existing treatment process structure in the water plant, the proposed addition location is the best location. Ms. Goldberg stated that there are chemical fill panels in the rear of the building that trucks must through the existing lot configuration. She said the change the location of the addition would require an entire redesign of the existing plant.

Ch. Lally read aloud Building Commissioner Mike Perkins' comments on the project stating that the existing structure is conforming and the existing parcel is non-conforming due to a lack of frontage on a public way. Ch. Lally said that you are restricted because you do not have frontage and there is a strip of land that is owned by an adjacent property. Mr. Guazzaloca stated yes, the strip of land is owned by SVF University LLC. Ch. Lally stated that in itself does makes it unique without frontage on University Ave. Ch. Lally then stated that the applicant had mentioned earlier that a literal enforcement of the bylaw would cause a substantial financial hardship if the addition was required to be built on a different location on the site.

Ch. Lally then asked Mr. McCusker if he had any questions. Mr. McCusker asked if the PFAS are the residue of plastics in the environment. Ms. Goldberg said they are attributed to many different sources and that plastics is one. Mr. McCusker said that it is very common for municipalities across the country to start gearing up to filter these PFAS. Ms. Goldberg said that is correct. Mr. McCusker asked if the technology being proposed is different than the rest of the industry would use. Ms. Goldberg stated it was not, it is very standard technology that is Massachusetts and DEP approved technology.

Ch. Lally asked Ms. Walsh if she had any questions. Ms. Walsh said the lack of frontage is due to SVF owning the land of front on University Ave. Mr. Guazzaloca stated he did some deed research and it looks like back in the 1940's or 1950's the width of the right of way was reduced and created some of these strips and over time the pieces of land were conveyed and this piece of land was combined with parcel 33 008. He said that over time many of these lots have been combined and divided, but since the 1950's Dedham Westwood Water has had legal access rights to install utility infrastructure in this parcel. Mr.

Guazzaloca stated there are land court certificates from the mid 1950's that establish Westwood. Ms. Goldberg stated that DWWD has been coordinating with the other parcel owner during the design phase and will be working with them on tree replacement. Mr. Guazzaloca stated that the district has been in contact with this property owner, and they have an agreement. Ms. Walsh then asked with the proposed addition being so close to the fence, is there any safety risk. She asked if the Planning Board review the type of fencing proposed? Mr. Guazzaloca displayed a fence plan detail stating it is picket type steel ornamental fence. The Planning Board did not express any safety concerns. Ms. Flynn stated the Planning Board did approve the fence design. Ms. Goldberg stated that DWWD had other safety systems in place at the facility, with some having recent upgrades.

Ch. Lally stated it was time for Board members to discuss if the applicants meet the requirements of granting a variance and if so, then move to discuss the storage of hazardous materials special permit request. Ch. Lally stated that he believes the application does meet the requirements of a granting a variance, due to the parcel being land locked. He continued that it would also be very costly to move equipment or redesign the whole plant to locate it in another spot. Ch. Lally stated that he believes the improved drinking water is in the best interest of the public. Ch. Lally asked if the other Board members and questions or concerns with granting a Variance. Ms. Walsh stated she did not. Mr. McCusker stated he didn't have any questions and that he was also satisfied that this parcel meets the variance requirements as it is cut off from the main street and is limited in square footage. Mr. McCusker asked if this is DWWD only treatment plant. Ms. Goldberg stated the only one in Westwood and it is the biggest supplier of water, there is one other in Dedham. Mr. McCusker stated they can't replace the system at this point and that they need this addition moving forward for the quality and the health of the residents of Westwood. Mr. McCusker stated that he approved of the variance.

Ch. Lally asked the applicants to discuss the special permit request for storage of hazardous materials in the Water Resource Protection Overlay District. He asked that the applicant present how the chemicals are stored, what is done in an emergency or leak, the capacity of storage and how they are monitored. He also asked they explain how the plant accepts the chemical into the facility.

Ms. Goldberg stated that the existing plant has four chemical feed systems; chlorine, fluoride, potassium hydroxide, and orthophosphate. She said that they are all chemicals used in drinking water applications. Ms. Goldberg said that each chemical has its own storage, a bulk tank and a day tank and they have poured concrete containment walls that are sized to be able to capture 110% of the volume of chemical that is stored within the containment area. She said the bulk tank has 2 different ways of monitoring the volume of liquid, level transducers that send signals of the level in the tanks both to the operators and a localized transmitter at the plant itself to read volume and level of chemical. Ms. Goldberg stated that they are also equipped with flood alarms. She stated there is a transfer pump that moves the chemical from the bulk tank to the day tank, and that transfer pump is only operable by an operator. She stated that there is a switch in place to avoid any overspill, and the transfer pump will kill and turn off after it reaches a high level. Ms. Goldberg stated that the day tanks are all equipped with level transmitters and level switches and once high levels are reached, it deters and turns on the transfer pumps so there is no overflow of liquid into the containment area. Ms. Goldberg stated the same was true of the fill panels on the exterior of the plant, as the chemical tanker is filling up the bulk container, tank alarms will go off once they hit the high level, and there is redundancy with multiple alarm alerts. She stated the water treatment plant has standard operating procedures for all their chemical deliveries, chemical storage and chemical feed systems. Ms. Goldberg stated there would be no additional chemicals to be used in this new addition, and everything that she described is existing on site and has been inspected and approved by MA DEP for chemical containment and flood alarms. Ch. Lally asked if there had been any spills in the last 10 years. Ms. Goldberg stated none that she was aware of. Ch. Lally stated that his fellow Board member had raised security earlier, is there security on site. Ms. Goldberg stated there was multiple forms of security on site such as security systems, cameras and locked doors with only access is being let in by an employee. Mr. Guazzaloca stated there was also security gates and additional fencing as well and the addition work will include more controlled access motorized gate with key pad access.

Ch. Lally asked about frequency of testing of emergency equipment. Ms. Goldberg stated that the standard operating procedures required by the DEP is once a year, and they review and approve the Operation and maintenance plans (O & M). Ms. Goldberg stated the Dedham plant is manned overnight and there was oversight of the Westwood facility via cameras and monitoring systems for the chemical feeds. Ms. Flynn stated a condition of the Planning Board's EIDR approval is that an updated O & M plan be submitted prior to the building permit being issued. Ch. Lally asked if the other Board members had any questions regarding the chemical storage at the facility. Both members stated they did not. Ch. Lally asked Ms. Flynn if

the application has been reviewed by the Building Commissioner, Planning, Conservation and Health Clerk. Ms. Flynn stated it had and they had all offered their comments.

Ch. Lally asked Ms. Flynn to open up the hearing to public comment. Ms. Flynn stated there were no hands raised in the attendees and no questions in the Question & Answer queue. Ch. Lally declared the hearing closed.

Mr. McCusker moved that Zoning Board of Appeals grant the Special permit pursuant to Westwood Zoning Bylaw Section §9.3.5.1 [storage of hazardous materials in the Water Resource Protection Overlay District] and Variance pursuant to Sections §10.4 and 5.2 [dimensional requirements] for 154 University Avenue. The Motion was seconded by Ms. Walsh. Ch. Lally called a roll call vote; the Board voted unanimously via roll call grant the special permit and variance to 154 University Avenue.

Vote to Approve Meeting Minutes

Ch. Lally stated that the minutes for May 15, 2024 meeting were completed and ready for approval.

Ch. Lally moved that the Westwood Zoning Board of Appeals approve the meeting minutes from the May 15, 2024 meeting. The Motion was seconded by Mr. McCusker. Ch. Lally called a roll call vote; the Board voted 3-0 to approve meeting minutes from the May 15, 2024 meeting.

Vote to Adjourn Hearing

On a motion by Ch. Lally, seconded by Ms. Walsh, the Board voted unanimously on a roll call vote to adjourn the meeting at 8:10 pm.

List of Documents:

- 710-722 High Street
Zoning Board application; plans and associated attachments
- 44 Coach Lane
Zoning Board application; plans and associated attachments
- 154 University Avenue
Zoning Board application; plans and associated attachments