

TOWN OF WESTWOOD
COMMONWEALTH of MASSACHUSETTS

Christopher A. Pfaff, Chairman
Steven H. Olafoff, Vice Chairman
Trevor W. Laubenstein, Secretary
Bruce H. Montgomery
John J. Wiggin



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PLANNING BOARD

NOTICE OF DECISION

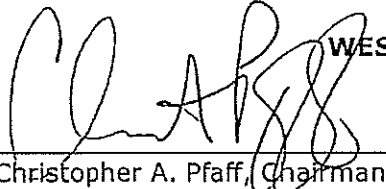
In compliance with Chapter 40A of the General Laws of the Commonwealth of Massachusetts, you are hereby notified that the Westwood Planning Board has voted in favor to **grant** the application from Boston Building and Consulting, LLC, as voted on March 15, 2016, and filed in the Office of the Town Clerk on February 22, 2016, requesting Planning Board Special Permit pursuant to Section 7.1 [Earth Material Movement] of the Westwood Zoning Bylaw, to import and move more than 200 cubic yards of earth material in a residential district at 510 Far Reach Road, Westwood, MA 02090 for the construction of a single-family dwelling.

LAND AFFECTED: 510 Far Reach Road (Assessors' Map 2, Lot 45)

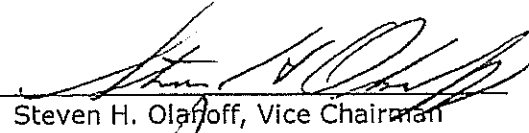
The Planning Board hereby certifies that attached hereto is a true and complete copy of the Board's decision and that said decision and any plans referred to therein have been filed with the Planning Board.

Appeals, if any, shall be made pursuant to Section 17 of said M.G.L. Chapter 40A and shall be filed within twenty (20) days after the filing of a copy of the decision in the office of the Town Clerk.

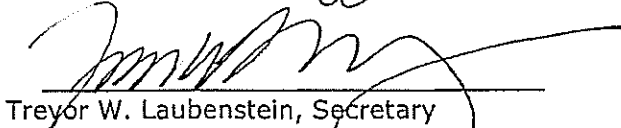
WESTWOOD PLANNING BOARD



Christopher A. Pfaff, Chairman



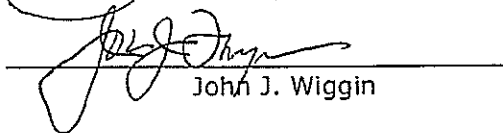
Steven H. Olafoff, Vice Chairman



Trevor W. Laubenstein, Secretary



Bruce H. Montgomery



John J. Wiggin

Dated: 3/15/16

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TOWN CLERK
TOWN OF WESTWOOD

**DECISION OF THE PLANNING BOARD
SPECIAL PERMIT**

APPLICANT: Bill Gallagher
Boston Building and Consulting, LLC

ADDRESS: 1 Homestead Drive, Suite 301
Medfield, MA 02052

PROPERTY OWNER: James Waterhouse III
136 Far Reach Road
Westwood, MA 02090

PROPERTY LOCUS: 510 Far Reach Road
Assessor's Map 2, Lot 45

BACKGROUND AND PROJECT SUMMARY

The Applicant proposes to a net total of 1,030 cubic yards of fill for the construction of a new single-family residence at 510 Far Reach Road. The property is located in the SRC (Single Residence C) zoning district. The proposed earth material movement for import, export, and regrading of greater than 200 cubic yards is subject to a Special Permit, pursuant to Section 7.1 of the Westwood Zoning Bylaw.

STATEMENT OF FINDINGS

PROCEDURAL FINDINGS:

After having reviewed all the plans and reports filed by the Applicant and its representatives and having considered the technical analysis, supplemental information provided during the course of the public hearing, correspondence and testimony from representatives from various boards and commissions and departments within the Town of Westwood and from all other interested parties, the Town of Westwood Planning Board makes the following procedural findings and project findings:

1. On February 22, 2016, an application was filed by or on behalf of Boston Building and Consulting, LLC, pursuant to Section 7.1 [Earth Material Movement] of the Westwood Zoning Bylaw with the Westwood Planning Board and the Westwood Town Clerk (hereinafter "Application").
2. Pursuant to M.G.L. Chapter 40A, Section 9 and 11 and the applicable provisions of the Westwood Zoning Bylaw and the Rules and Regulations of the Westwood Planning Board (hereinafter "Rules and Regulations"), the Planning Board caused notice of the public hearing to be published in the *Westwood Press*, a newspaper of general circulation in Westwood, on February 26, 2016 and March 4, 2016. Notice of the public hearing was posted in the Westwood Town Hall commencing on February 22, 2016, and continuing through the opening of the public hearing on March 15, 2016. Said notice of the public hearing was mailed postage prepaid to all Parties in Interest as defined in M.G.L. Chapter 40A, Section 11 on February 24, 2016.
3. The Planning Board provided copies of the Application to other Town of Westwood boards and commissions, departments and officials including, but not limited to, the Board of Health, Board of Selectmen, Building Commissioner, Conservation Commission, Department of Public Works, Fire Chief, Historic Commission, Pedestrian and Bike Safety Commission, Police Chief and Town Engineer, on March 15, 2016.

4. After notice and publication was provided pursuant to M.G.L. Chapter 40A, Section 9 and 11, the public hearing on the Application commenced on March 15, 2016, in the auditorium of the Downey School, at 250 Downey Street, Westwood, Massachusetts, 02090. The Planning Board closed the public hearing the same evening.
5. Westwood Planning Board Members Trevor W. Laubenstein, Steven H. Olanoff, John J. Wiggan, Bruce H. Montgomery, and Christopher A. Pfaff deliberated on the Application at a duly authorized meeting on March 15, 2016.

PROJECT FINDINGS:

1. The subject property consists of approximately 1.42 acres (61,956 S.F.) located at 510 Far Reach and is shown as Map 2, Lot 45 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. Presently, the project site is undeveloped.
3. The Applicant proposes to disturb 20,600 S.F. for a net total of 1,030 C.Y. of fill to construct a new single-family residence, driveway, garage, walkway, and retaining all.
4. The Project Site is located within the SRC zoning district. The proposed single-family dwelling use is permitted by-right in the SRC zone, and the Earth Material Movement greater than 200 cubic yards is subject to an Earth Material Movement (EMM) Special Permit, pursuant to Section 7.1 of the Westwood Zoning Bylaw.
5. 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 of the Westwood Zoning Bylaw.
6. The Board found that the earth material operations proposed to be conducted under the requested special permit, as modified by the conditions imposed thereby, will not be contrary to the best interests of the Town, and will be in harmony with the general purpose and intent of Section 7.1.
7. The Board found that said operations will not be injurious or dangerous to public health or safety.
8. The Board found that said operations will not produce noise, dust or other effects observable at the lot lines in amounts seriously objectionable or detrimental to the normal use of adjacent property.
9. The Board found that said operations will not result in transportation of materials on ways giving access to the subject land which will cause traffic congestion or hazards.
10. The Board found that said operations will not result in transportation which will cause injury to roadway surfaces.
11. The Board found that said operations will not result in transportation which will cause undue injury to roadway surfaces.

12. The Board found that said operations will not have a material adverse effect on the natural or engineered drainage patterns of groundwater or surface water.
13. The Board found that said operations will not have a material adverse effect on the health or safety of persons living in the neighborhood or on the use or amenities of adjacent land.

DECISION:

The Planning Board evaluated the Application in relation to the above Findings, and as the approving authority, by a vote of five (5) in favor and none (0) opposed, hereby grants Special Permit **Approval** pursuant to Section 7.1 of the Westwood Zoning Bylaw for the Project as described above and in the approved plan entitled "Site Plan, #510 Far Reach Road in Westwood, Mass", prepared by Norwood Engineering Co., Inc., dated January 29, 2016, last revised March 14, 2016 and the application therefor filed in the office of the Town Clerk on February 22, 2016, 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 last revised March 14, 2016 and the anchor retaining wall detail in all respects and the Applicant shall pursue completion of the Project with reasonable diligence and continuity.
2. The existing pavement on Far Reach Road shall be protected from damage from loading and unloading materials and/or equipment related to the proposed construction.
3. The project engineer shall certify that retaining wall and infiltrations system was installed per the proposed design shown on the submitted and approved Project Plan. If the final design varies from the proposed design, an as-built plan certified by a professional engineering shall be submitted to the Town Planner and Town Engineer prior to the issuance of the Certificate of Occupancy.
4. Project related construction and earth material movement shall comply with the Town's General Bylaws Chapter 292, for Noise and Construction between 7:00 am and 7:00 pm Monday through Saturday and 12:00 pm to 7:00 pm on Sundays.
5. All trucks carrying earth material to and from the Project Site shall be required to access the Project Site from Summer Street via High Street/Route 109 only.
6. If the Project, or any Condition imposed in this Decision, requires permit, license, or other approval from any other board, committee, or agency of the Town of Westwood [such as the Conservation Commission], or other regulatory agency of the Commonwealth or Federal government, the Applicant shall make an appropriate application for the same. 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 or modification of this Decision, and the Planning Board shall consider such application in accordance with the requirements of M.G.L. Chapter 40A, Section 9 and all applicable Planning Board Rules and Regulations.

7. The Applicant shall promptly repair any damage which the Applicant causes to sidewalks, street pavement, signs or other fixtures or features within any public right-of-way, after obtaining permission from the Town. Such repairs shall be performed to Town of Westwood standards.
8. A copy of this Decision and the Project Plans shall be kept on the Project Site at all times during construction.

APPLICATION AND PLANS

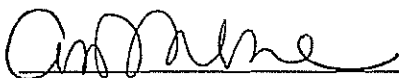
The Planning Board evaluated the Application filed by or on behalf of the Applicants in the Planning Office and the Office of the Town Clerk on February 22, 2016. All of the following plans and material are hereby incorporated by reference and made part of this Decision.

1. Application prepared by Boston Building and Consulting, LLC dated February 17, 2016, received by the Town Clerk on February 22, 2016 and Planning Department on February 18, 2016.
2. Plan entitled "Site Plan, #510 Far Reach Road in Westwood, Mass.", prepared by Norwood Engineering Co., Inc. dated January 29, 2016, last revised March 14, 2016.
3. Anchor Retaining Wall Standard Engineering – Diamond Pro and Vertica, BHH Engineering Incorporated, stamped by Rusty E. Benkosky (10 pages).
4. Memorandum from Town Engineer, Jeffrey Bina, to Town Planner, Abigail McCabe, RE: Earth Material Movement Special Permit, 510 Far Reach Road, dated March 9, 2016.
5. Electronic Mail from Conservation Agent, Karon Catrone, Subject: RE: EMM SP 510 Far Reach Rd, sent March 9, 2016.

RECORD OF VOTE

The following members of the Planning Board voted on March 15, 2016 to grant a Special Permit Approval for the abovementioned Project: Christopher A. Pfaff, Steven H. Olanoff, Bruce H. Montgomery, John J. Wiggin, and Trevor W. Laubenstein.

The following members of the Planning Board voted in opposition to the Special Permit for the abovementioned Project: None.



Abigail McCabe
Town Planner
March 21, 2016

TOWN CLERK
TOWN OF WESTWOOD

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