

TOWN OF WESTWOOD
Commonwealth of Massachusetts

Steven M. Rafsky, Chairman
Steven H. Olanoff, Vice Chairman
John J. Wiggin, Secretary
Bruce H. Montgomery
Carol E. Chafetz



2011 JUL 11 P 3 44
Nora Loughnane, Town Planner
Janice Barba, Planning & Land Use Specialist
TOWN CLERK
TOWN OF WESTWOOD

PLANNING BOARD

**DECISION OF THE PLANNING BOARD
ENVIRONMENTAL IMPACT DESIGN REVIEW APPROVAL**

APPLICANT: AMR Auto Holdings – PA, LLC

PROPERTY OWNER: Route 1 Management Land Trust LLC, Trustee of 420 Providence Highway Realty Trust

PROPERTY LOCUS: 420 Providence Highway
Assessors' Map 24, Parcel 83

BACKGROUND AND PROJECT SUMMARY

The Applicant proposes modifications to the March 30, 2005 Environmental Impact and Design Review (EIDR) Approval to permit alterations to parking and automobile display areas at 420 Providence Highway. This Application was filed following notice by the Building Commissioner that the Audi-Porsche dealership was in violation of the previously granted EIDR Approval. The proposed alterations include modifications to existing parking and display areas, the addition of a stacked parking area near the rear of the parcel for sales inventory and loaner vehicles, and alterations to existing landscaping.

APPLICATION AND PLANS

The Planning Board evaluated the Application dated February 22, 2011, and filed by or on behalf of the Applicants in the Planning Office and the Office of the Town Clerk on February 24, 2011, and the following related submissions:

1. Plan entitled "Audi-Porsche Parking Plan", prepared by Westcott Site Services, Civil Engineers, 60 Prospect Street, Waltham, MA, dated February 22, 2011, with revisions through May 12, 2011, consisting of two (2) sheets:

Sheet 1 – Entitled "Curb Revisions", dated February 22, 2011, with revisions through May 12, 2011;

Sheet 2 – Entitled "Parking Plan", dated February 22, 2011, with revisions through May 12, 2011.
2. Plan entitled "ALTA/ACSM Land Title Survey in Westwood, Massachusetts for 420 Providence Highway", prepared by Paul J. DeSimone P.L.S., 38 Coffee Street, Medway, MA, dated May 25, 2007, consisting of one (1) sheet.

3. Report entitled "Addendum to Westwood Planning Board Application for Hearing, 420 Providence Highway", consisting of three (3) pages.
4. Memorandum to Nora Loughnane, Town Planner, from Sergeant Paul R. Sicard, re: Audi Parking Plan, dated March 7, 2011, consisting of one (1) page.
5. Letter to Clerk, Zoning Board of Appeals, from Daniel E. McMackin, dated March 8, 2011, consisting of one (1) page.
6. All of the foregoing plans and reports are hereby incorporated by reference and made part of this Decision.

STATEMENT OF FINDINGS

After having reviewed all the plans and reports filed by the Applicant and its representatives; 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 has determined that the Application complies with the requirements of Section 7.3 [Environmental Impact and Design Review] and other applicable sections of the Zoning Bylaw. Specifically, the Planning Board makes the following procedural findings and project findings:

PROCEDURAL FINDINGS:

1. On February 24, 2011, an application was filed by AMR Auto Holdings – PA, LLC pursuant to Section 7.3 [Environmental Impact and Design Review] 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 March 3, 2011 and on March 10, 2011. Notice of the public hearing was posted in the Westwood Town Hall commencing on February 28, 2011, until the opening of the public hearing on March 22, 2011. 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 28, 2011.
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, Economic Development Officer, Fire Chief, Police Chief and Town Engineer.
4. After notice and publication was provided pursuant to M.G.L. Chapter 40A, Sections 9 and 11, the public hearing on the Application commenced on March 22, 2011, in the Westwood High School Auditorium, 200 Nahatan Street, Westwood, Massachusetts, and was continued to May 17, 2011, in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts, on which date the Planning Board closed the public hearing.

5. Westwood Planning Board members Steven M. Rafsky, Steven H. Olanoff, John J. Wiggin, Carol E. Chafetz and Bruce H. Montgomery were present for all public hearings at which testimony was taken.
6. Westwood Planning Board members Steven M. Rafsky, Steven H. Olanoff, John J. Wiggin, Carol E. Chafetz and Bruce H. Montgomery deliberated on the Application at a duly authorized meeting on May 17, 2011.

PROJECT FINDINGS:

1. The subject property consists of approximately 3.51 acres located at 420 Providence Highway and is shown as Map 24, Lot 83 on the Westwood Board of Assessors' Map (hereinafter "Project Site" or "Property").
2. The Applicant proposes to alter the parking, circulation and landscaping at 420 Providence Highway in order to improve the efficiency of the Audi-Porsche Dealership operating at this site.
3. The Project Site is located within the Highway Business (HB) zoning district. The existing auto dealership constitutes a permitted use in this district, subject to a special permit issued by the Zoning Board of Appeals, and pursuant to EIDR Approval under Section 7.3 of the Westwood Zoning Bylaw.
4. The Project, as modified by the conditions of this decision, is consistent with all applicable standards under Section 7.3.7 [Environmental Impact and Design Standards] of the Westwood Zoning Bylaw.
5. The Project, as modified by the conditions of this decision, will provide for safe and effective vehicular and pedestrian circulation into and through the proposed parking lot.
6. The Project, as modified by the conditions of this decision, will not present a public safety hazard to the Town, or the surrounding residential properties.
7. 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 residential properties, and will be consistent with all applicable standards set forth in Section 7.3.7 of the Westwood Zoning Bylaw.

WAIVERS, MODIFICATIONS AND REDUCTIONS

The following waivers are hereby granted by the Planning Board in accordance with Section 7.3 of the Westwood Zoning Bylaw:

1. Waiver of such site plan requirements under Section 7.3.6.1 of the Westwood Zoning Bylaw as are unnecessary for the board's consideration of the Application;
2. Waiver of submission of a photometric table under Section 7.3.6.2 of the Westwood Zoning Bylaw;
3. Waiver of submission of traffic study under Section 7.3.6.3 of the Westwood Zoning Bylaw;

4. Waiver of submission of drawings or renderings under Section 7.3.6.4 of the Westwood Zoning Bylaw;
5. Waiver of submission of photographs under Section 7.3.6.5 of the Westwood Zoning Bylaw;
6. Waiver of model submission required under Section 7.3.6.7 of the Westwood Zoning Bylaw.

The following reductions and modifications are hereby granted by the Planning Board in accordance with Section 6.1.17.5 of the Westwood Zoning Bylaw:

1. Modification of landscape design requirements under Sections 6.1.17.1 and 6.1.17.2 of the Westwood Zoning Bylaw.

DECISION

The Planning Board evaluated the Application in relation to the above findings, and by a vote of five (5) in favor and none (0) opposed, hereby submits its Environmental Impact and Design Review **Approval** pursuant to Section 7.3 of the Westwood Zoning Bylaw for the Project as described above, subject to the conditions stated herein:

CONDITIONS OF APPROVAL

The approval of the abovementioned Application is subject to the following conditions:

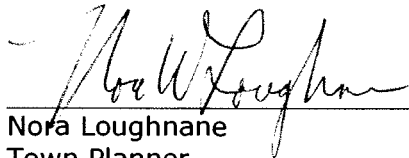
1. Except as modified by the conditions and findings hereof, the Project shall comply with the Project Plans, and with all conditions of prior approvals, in all respects, and the Applicants shall pursue completion of the project with reasonable diligence and continuity.
2. The Applicant shall submit a revised site plan, clearing showing existing and proposed conditions, and including the following:
 - a. relocation of the required handicapped parking spaces to an area adjacent to the dealership building;
 - b. addition of striping in parking lot area adjacent to southeast corner of dealership building, in place of existing raised island;
 - c. plan notation that parking, loading and unloading of vehicles shall be prohibited on Walper and Perwal Streets; and
 - d. plan notation that, should the existing ATM structure be removed, the associated handicapped parking space shall be relocated to a more appropriate location in proximity to the sales or service entrance of the dealership building.
3. The Applicant shall submit a landscape plan in conformance with the requirements of Section 6.1.17.4 of the Westwood Zoning Bylaw, and including the following:
 - a. installation of sixteen (16) red pine trees, ten (10) feet in height at the time of planting, along the east property line, to effectively screen views of the proposed stacked parking area from abutting properties;

- b. plan notation that all existing plantings in islands and landscaped areas shall be maintained; and
 - c. plan notation that all trees, shrubs, grass and ground cover which die or become diseased shall be replaced within six (6) months of such death or disease.
4. The Applicant shall undertake all site modifications in full accordance with the plans required under conditions #2 and #3 of this decision.
 5. The Applicant shall obtain written approval of the stacked parking arrangement from the acting Town Engineer.
 6. The Applicant shall employ a qualified attendant to effectively manage the stacked parking arrangement during all hours of business operation.

RECORD OF VOTE

The following members of the Planning Board voted to grant EIDR Approval for the abovementioned Project: Ch. S. Rafsky, J. Wiggin, S. Olanoff, C. Chafetz and B. Montgomery.

The following members of the Planning Board voted in opposition to limited EIDR Approval of an exempt use for the abovementioned Project: None.



Nora Loughnane
Town Planner

DATED: June 30, 2011