

TOWN OF WESTWOOD
Commonwealth of Massachusetts

John J. Wiggin, Chairman
Steven H. Olanoff, Vice Chairman
Christopher A. Pfaff, Secretary
Steven M. Rafsky
Bruce H. Montgomery



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PLANNING BOARD

**SHARED DRIVEWAY SPECIAL PERMIT DECISION
OF THE WESTWOOD PLANNING BOARD**

APPLICANTS: Michael and Yvette Mouhanna
c/o Fourzol, LLC
15 Main Street
Suite 8-B, Franklin, MA 02038

**PROPERTY
LOCUS:** 480 Summer Street
Assessors' Map 2, Parcel 1

MEETING: The Planning Board of the Town of Westwood held a public meeting in accordance with the General Laws of the Commonwealth of Massachusetts on Tuesday, January 8, 2013 in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts, at which meeting the Planning Board considered the request of Michael and Yvette Mouhanna for a sixth extension of the Shared Driveway Permit approval made pursuant to the provisions of Section 6.1.26 of the Westwood Zoning Bylaw [Shared Driveways].

PROJECT SUMMARY

The Applicants submitted an application on August 16, 2005 for a Shared Driveway Special Permit for property located at 480 Summer Street, pursuant to Section 6.1.26 of the Westwood Zoning Bylaw. The Shared Driveway Special Permit was approved by the Planning Board, and the Planning Board's Notice of Decision was filed in the office of the Town Clerk on June 14, 2006. A one-year extension of the Shared Driveway Permit was granted by the Planning Board, and the Planning Board's Notice of Decision was filed in the office of the Town Clerk on April 24, 2008. A second one-year extension was granted by the Planning Board, and the Planning Board's Notice of Decision was filed in the office of the Town Clerk on May 29, 2009. A third extension for a period of six months was granted by the Planning Board on June 18, 2010, and the Planning Board's Notice of Decision was filed

in the office of the Town Clerk on June 18, 2010. A fourth extension for a period of one year was granted by the Planning Board on November 8, 2010, and the Planning Board's Notice of Decision was filed in the office of the Town Clerk on November 17, 2010. A fifth extension for a period of one year was granted by the Planning Board on December 13, 2011, and the Planning Board's Notice of Decision was filed in the office of the Town Clerk on December 14, 2011.

The proposed shared driveway will be approximately 500 feet in length and will provide access to a total of three single-family lots, which will include two new residences in addition to the current residence on the property. The property is located within the Single Residence C zoning district.

Due to economic conditions, Mr. and Mrs. Mouhanna were unable to undertake construction of the shared driveway within the two-year timeframe permitted under the special permit, plus the four and one-half year extensions granted by the Planning Board. They requested a sixth extension of the Shared Driveway Special Permit, pursuant to Section 6.1.26 of the Westwood Zoning Bylaw.

DECISION

The Planning Board, by a vote of five in favor and none opposed, hereby grants **approval** of a one-year extension of the Shared Driveway Permit approval made pursuant to the provisions of Section 6.1.26 of the Westwood Zoning Bylaw [Shared Driveways] for the Project as described in the following related submissions (together hereinafter referred to as the "Project Plans") filed with the Planning Board by or on behalf of Michael and Yvette Mouhanna:

1. Plan entitled "Shared Driveway 480 Summer Street in Westwood, MA (Norfolk County)", dated August 15, 2005 and revised through April 22, 2009, prepared by Beals and Thomas, Inc., Reservoir Corporate Center, 144 Turnpike Road (Route 9), Southborough, Massachusetts 01772, consisting of the following three (3) sheets:

Sheet 1, entitled "Existing Conditions and Site Development Plan";
Sheet 2, entitled "Plan and Profile";
Sheet 3 entitled "Locus, Notes, References, Legend and Details";
2. Approval Not Required (ANR) Plan entitled "Plan of Land, Being a Division of Lot 2 as shown on LCC 5840-C and Lot 6 as shown on LCC 5840-D, in Westwood, MA", dated April 22, 2009, prepared by Beals and Thomas, Inc., Reservoir Corporate Center, 144 Turnpike Road, Southborough, MA 01772-2104.
3. Driveway Grading Sketch, dated May 18, 2009, prepared by Beals and Thomas, Inc., Reservoir Corporate Center, 144 Turnpike Road, Southborough, MA 01772-2104.
4. Letter to the Planning Board from Michael Mouhanna re: Request for 1 Year Extension, dated May 18, 2008, consisting of one (1) page;

5. Letter to Dottie Powers, Town Clerk, from John E. Bensley, PE, re: 480 Summer Street, Westwood, Massachusetts, BTI Project No. 1840.02, dated April 29, 2009, consisting of one (1) page;
6. Letter to Robert C. Malster, Town of Westwood Planning Board, from John E. Bensley, PE, Beals and Thomas, Inc., re: 480 Summer Street, Westwood, Massachusetts, BTI Project No. 1840.02, dated April 29, 2009, consisting of two (2) pages;
7. Letter to Michael and Yvette Mouhanna from Nora Loughnane, Town Planner, re; Application for ANR Plan to Create Three Lots, dated May 14, 2009, consisting of eleven (11) pages;
8. Letter to the Planning Board from Michael Mouhanna re: Request for 1 Year Extension, dated May 26, 2010, consisting of one (1) page;
9. Letter to the Planning Board from Michael Mouhanna re: Request for 1 Year Extension, dated October 12, 2010, consisting of one (1) page;
10. Letter to the Planning Board from Michael Mouhanna re: Request for Extension of Special Permit, Property Address: 480 Summer Street, dated November, 23, 2011, consisting of one (1) page;
11. Letter to the Planning Board from Michael Mouhanna re: Request for Extension of Special Permit, Property Address: 480 Summer Street, undated, consisting of one (1) page;
12. All of the foregoing plans and reports are hereby incorporated by reference and made part of this Decision.

CONDITIONS

The foregoing approval is issued to the Applicant for the aforementioned Project in accordance with the terms and conditions set forth below, all of which are an integral part hereof:

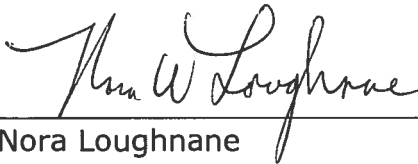
1. Except as modified by the conditions and findings hereof, the Project shall comply with the Project Plans, and with all conditions of prior approvals, in all respects, and the Applicant shall pursue completion of the project with reasonable diligence and continuity.
2. No building permits shall be issued for new construction on lots 6, 7 or 8, created by the endorsed ANR Plan entitled "Plan of Land, Being a Division of Lot 2 as shown on LCC 5840-C and Lot 6 as shown on LCC 5840-D, in Westwood, MA", dated April 22, 2009, until such time as the shared driveway is constructed in full conformance with all conditions of the Shared Driveway Special Permit and all extensions thereof, and certification of said conformance is made by the Town Engineer.

3. This Extension of the Special Permit shall expire on December 1, 2013, unless it has been recorded at the Norfolk County Registry of Deeds and substantial construction or use thereof has commenced within this time period.

RECORD OF VOTE

The following members of the Planning Board voted to grant a One-Year Extension of the Special Permit for the abovementioned Project: Bruce H. Montgomery, Steven H. Olanoff, John J. Wiggin, and Steven M. Rafsky

The following members of the Planning Board voted in opposition to a One-Year Extension of the Special Permit for the abovementioned Project: None.



Nora Loughnane
Town Planner

DATED: February 15, 2013