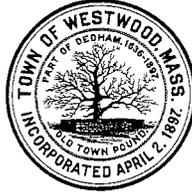


TOWN OF WESTWOOD

Commonwealth of Massachusetts

Robert C Malstec Chairman Steven
H. Olanoff, Vice Chairman Robert
E. Moore, Jr., Secretary George A
Nedder
Bruce H. Montgomery



PLANNING BOARD

Diane Beecham, Town Planner
Town Hall 580 High Street Westwood, MA 02090 (781) 251-2581 (781) 461-6839

DECISION OF THE PLANNING BOARD OF THE TOWN OF WESTWOOD

APPLICANT: Bubbling Brook Realty LLC

**PROPERTY
LOCUS:** 1652 High Street
Assessors' Map 34, Parcel 01

HEARING: The Planning Board of the Town of Westwood held a public hearing in accordance with the General Laws of the Commonwealth of Massachusetts on Tuesday, October 24, 2006 and continued to Tuesday, November 14, 2006, all in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts, to consider the application of Bubbling Brook Realty LLC to amend an environmental impact and design review decision made pursuant to the provisions of Section 7.3 of the Westwood Zoning Bylaw [Environmental Impact and Design Review].

STATEMENT OF FACTS

Bubbling Brook Realty LLC paved an existing gravel area to create an additional fourteen (14) parking spaces, without the required filing pursuant to Section 7.3 of the Westwood Zoning Bylaw [Environmental Impact and Design Review]. A zoning violation notice was issued by the Building Inspector, prompting the Applicant to file an application for the retroactive approval of the additional parking spaces. As part of its review of this application, the Planning Board made substantial changes to the submitted site plan, most notably the narrowing of the High Street and North Street parking lot entrances from 80 feet to 20 feet and 24 feet, respectively. This decision was filed on February 7, 2006.

In Spring 2006 temporary barrels were used to block portions of the parking lot entrances to simulate the narrowed openings as shown on the approved site plan. This simulation caused immediate traffic congestion and delivery problems and so a new design was proposed that allowed for right turn only traffic exiting onto High Street and the installation of an island to separate the two-way traffic at the North Street entrance to allow for a significantly wider opening at this location. The temporary barrels were moved to reflect this new design, resulting in an overall improvement in the traffic pattern. The Applicant is now requesting an amendment to the approved site plan to reflect this new design. During the subsequent public hearings, some additional changes were made to the submitted plan, including minor changes to the island designs at both entrances.

DECISION OF THE WESTWOOD PLANNING BOARD

The Planning Board, by a vote of three in favor and one abstention, hereby submits its amendment to its Impact Decision *approval* pursuant to Section 7.3 of the Westwood Zoning Bylaw for the Project as described in the application therefor dated October 10, 2006 and the following related submissions (together hereinafter referred to as the "Project Plans") filed with the Planning Board by or on behalf of Bubbling Brook Realty LLC:

1. Plan entitled "Site Development Plan Bubbling Brook Restaurant 1652 High Street Westwood, Mass.", prepared by Norwood Engineering Co., Inc., 1410 Route One, Norwood, MA 02062, dated August 2, 2005 and revised through October 25, 2006, consisting of one (1) sheet;
2. Correspondence to the Planning Board, dated October 10, 2006, prepared by Donald Myers, Senior Project Manager, Norwood Engineering Co., Inc., 1410 Route One, Norwood, MA 02062, consisting of one (1) page;
3. Correspondence to the Planning Board, dated October 26, 2006, prepared by Donald Myers, Senior Project Manager, Norwood Engineering Co., Inc., 1410 Route One, Norwood, MA 02062, consisting of one (1) page;
4. Technical review correspondence to the Planning Board, dated October 24, 2006, prepared by John Bertorelli, Town Engineer, consisting of two (2) pages;
5. Electronic mail correspondence to Diane Beecham, dated September 25, 2006, prepared by Paul Sicard, Safety Officer, Westwood Police Department, consisting of one (1) page;
6. Electronic mail correspondence to Diane Beecham, dated November 10, 2006, prepared by Paul Sicard, Safety Officer, Westwood Police Department, consisting of one (1) page;
7. 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 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 in all respects, and the Applicant shall pursue completion of the Project with reasonable diligence and continuity.
2. The Applicant or the Applicant's designee shall contact the Town Engineer and Town Planner prior to the start of construction to review the construction plans and timetable.
3. The four (4) barrels/containers that are placed in the immediate area of the walk-up windows must be substantial enough to provide for an effective safety barrier between patrons and vehicles. They shall be of a large size and have a weight of at least three hundred (300) pounds.
4. The existing exterior lighting fixtures shall be shown on the Project Plans. There shall be no additional exterior lighting installed on the property unless an Environmental Impact and Design Review application pursuant to Section 7.3 is submitted and approved by the Planning Board.



Diane Beecham
Town Planner

DATED: November 28, 2006