

**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



Nora Loughnane, Town Planner  
Janice Barba, Planning & Land Use  
Specialist

**PLANNING BOARD**

**NOTICE OF DECISION  
UPPER STORY RESIDENTIAL DEVELOPMENT SPECIAL PERMIT**

In compliance with Chapter 40A of the General Laws of the Commonwealth of Massachusetts, you are hereby notified that the Westwood Planning Board has, by a vote of four (4) in favor and none (0) opposed, voted to **grant** the Application of Colburn School, LLC, filed with the Planning Board and Town Clerk on January 19, 2012, for a Upper Story Residential Overlay District (USROD) Special Permit pursuant to Section 9.7 of the Town of Westwood Zoning Bylaw.

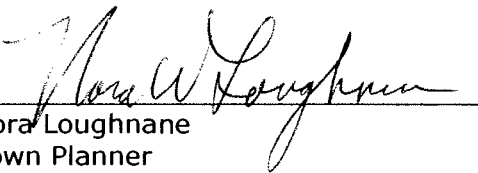
**LAND AFFECTED:** 668 High Street  
Currently shown as a portion of Assessor's Map 14, Lot 79  
To be shown as Assessor's Map 14, Lot 181 beginning January 1, 2013  
Size of Subject Property: ±0.44 acres  
Description of Project: Bank with Residential Units Above

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 and Town Clerk.

The Planning Board hereby certifies that statutory requirements have been complied with pursuant to Section 9 of said Chapter 40A.

Appeals, if any, shall be made pursuant to Section 17 of said 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.

Date of Decision: March 27, 2012

  
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Nora Loughnane  
Town Planner  
DATED: May 7, 2012

TOWN CLERK  
TOWN OF WESTWOOD  
2012 MAY -9 P 4: 16

**DECISION OF THE PLANNING BOARD  
UPPER STORY RESIDENTIAL DEVELOPMENT SPECIAL PERMIT**

**APPLICANT:** Colburn School, LLC  
1300 Belmont Street, Suite 3  
Brockton, MA 02301

**PROPERTY OWNER:** Town of Westwood  
580 High Street  
Westwood, MA 02090

**PROPERTY LOCUS:** 668 High Street  
Assessor's Map 14, Lot 79

**BACKGROUND AND PROJECT SUMMARY**

The Applicant proposes to relocate the historic Colburn School Building to the site of the old Westwood Public Library at 668 High Street, following the completion of construction of the new Library at 660 High Street. The Applicant intends to rehabilitate and reuse this historic structure to accommodate a bank with drive-through service on the first floor, and residential units on the second and third floors. The Applicant proposes to construct an addition to accommodate the drive-through service, and provide additional floor area for the residential units above.

to demolish the existing "Old Library" building, to relocate the "Colburn School" building, to construct a new addition to the relocated building including a drive-through service area, and to construct a new parking area, on property know as 668 High Street. Applicant will seek zoning relief from ZBA for height and dimensional variances as well as application for a special permit for locating a free standing sign within the front setback.

**APPLICATION AND PLANS**

The Planning Board evaluated the Application dated January 19, 2012, and filed by or on behalf of the Applicants in the Planning Office and the Office of the Town Clerk on January 19, 2012, and the following related submissions:

1. Site plan entitled "Proposed Multi-Use Development, 668 High Street, Westwood, Norfolk County, Massachusetts for Colburn School, LLC", prepared by J.K. Holmgren Engineering Inc., 943 West Chestnut Street, Brockton, MA 02301, dated January 19, 2012, and revised through March 9, 2012, consisting of the following eight (8) sheets:
  - C-1 Cover Sheet;
  - C-2 Existing Conditions Plan;
  - C-3 Demolition Plan;
  - C-4 Layout and Materials Plan;
  - C-5 Grading, Drainage & Utility Plan;
  - C-6 Landscaping Plan;
  - C-7 Detail Sheet;
  - C-8 Detail Sheet; and
  - C-9 Detail Sheet.
  
2. Architectural plan entitled "Colburn School Re-Use, Westwood, Mass., Job #5588", prepared by The MZO Group, 92 Montvale Avenue, Suite 4350, Stoneham, MA, 02180 dated January 17, 2012, consisting of the following eleven (11) sheets:

Cover Sheet

Sheet 1	Architect's Site Plan;
Sheet 2	Basement Plan;
Sheet 3	First Floor Plan;
Sheet 4	Second Floor Plan;
Sheet 5	Third Floor Plan;
Sheet 6	Roof Plan;
Sheet 7	Front Elevation;
Sheet 8	Right Side Elevation;
Sheet 9	Left Side Elevation; and
Sheet 10	Back Elevation.

3. Photometric plan entitled "Colburn School, Westwood, MA", prepared by The MZO Group, 92 Montvale Avenue, Suite 4350, Stoneham, MA, 02180, dated March 26, 2012, consisting of one (1) sheet.
4. Report entitled "Drainage Calculations and Stormwater Management Plan, in Support of Special Permit Application and Environmental Impact and Design Review Filing, for Colburn School Building Relocation and Renovations, 668 High Street, Norfolk County, Westwood, Massachusetts 02090", prepared by Gregory W. Driscoll, Jr., P.E., J.K. Holmgren Engineering Inc., 943 West Chestnut Street, Brockton, MA 02301, dated January 19, 2012 and revised through March 9, 2012, consisting of one hundred and seventeen (117) pages.
5. Report entitled "Architect's Response to Environmental Impact and Design Standards for the Re-Use of the Colburn School Building", undated, consisting of two (2) pages.
6. Letter to Town of Westwood Planning Board, from Gregory W. Driscoll, Jr., P.E., J.K. Holmgren Engineering Inc., 943 West Chestnut Street, Brockton, MA 02301, re: Colburn School Relocation and Renovations, Applicant: Colburn School, LLC, dated January 19, 2012, consisting of one (1) page.
7. Report entitled "Traffic Impact Assessment, Colburn School Reuse, Westwood, Massachusetts", prepared by Jeffery S. Dirk, P.E., PTOE, Vanasse & Associates, Inc., 10 New England Business Center Drive, Suite 314, Andover, MA 01810-1066, dated January 30, 2012, consisting of seventy-one (71) pages.
8. Memorandum to Nora Loughnane, Town Planner, from Linda R. Shea, REHS/RS, Health Director, re: Application for Upper Story Residential Overlay District Special Permit and Environmental Impact and Design Review (EIDR) Approval for 668 High Street-Colburn School, LLC, dated January 30, 2012, consisting of one (1) page.
9. Memorandum to Nora Loughnane, Town Planner, from Sergeant Paul R. Sicard, re: Colburn School, dated January 31, 2012, consisting of two (2) pages.
10. Memorandum to Nora Loughnane, Town Planner, from Jason DeGray PE, PTOE, Beta Group, Inc., 315 Norwood Park South, 2<sup>nd</sup> Floor, Norwood, MA 02062, re: Colburn School, Engineering review, dated February 13, 2012, consisting of two (2) pages.
11. Letter to Nora Loughnane, Town Planner, from Jeffery S. Dirk, P.E., PTOE, Vanasse & Associates, Inc., 10 New England Business Center Drive, Suite 314, Andover, MA 01810-1066, re: Response to Engineering Review Comments, Colburn School Reuse, Westwood, Massachusetts, dated February 27, 2012, consisting of three (3) pages with seventeen (17) page attachment.

12. Memorandum to Nora Loughnane, Town Planner, from Jason DeGray PE, PTOE, Beta Group, Inc., 315 Norwood Park South, 2nd Floor, Norwood, MA 02062, re: Colburn School, Engineering review, dated March 9, 2012, consisting of three (3) pages.
13. Letter to Town of Westwood Planning Board, from Gregory W. Driscoll, Jr., P.E., J.K. Holmgren Engineering Inc., 943 West Chestnut Street, Brockton, MA 02301, re: Colburn School Relocation and Renovations, Applicant: Colburn School, LLC, dated March 9, 2012, consisting of two (2) pages.
14. Letter to Zoning Board of Appeals, from Peter Paravalos, Chairman, Westwood Historical Commission, re: 668 High St. (Colburn School Building), variance request on height Regulations per Westwood Zoning Bylaw, Section 5.4.1.3, dated March 13, 2012, consisting of two (2) pages with nine (9) page attachment.
15. 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 Special Permit Application complies with the requirements of Section 9.7 [Upper Story residential Overlay District], and other applicable sections of the Zoning Bylaw. Specifically, the Planning Board makes the following procedural findings and project findings:

#### **PROCEDURAL FINDINGS:**

1. On January 19, 2012, an application was filed by or on behalf of Colburn School, LLC, for a Special Permit pursuant to Section 9.7 [Upper Story Residential Overlay District] of the Westwood Zoning Bylaw with the Westwood Planning Board and the Westwood Town Clerk (hereinafter "Application").
2. The Westwood Planning Board is the Special Permit Granting Authority for all USROD Special Permits
3. 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 January 26, 2012 and again on February 2, 2012. Notice of the public hearing was posted in the Westwood Town Hall commencing on January 19, 2012, and continuing through the opening of the public hearing on February 14, 2012. 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 January 25, 2012.
4. 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, on January 25, 2012.

5. 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 February 14, 2012 in the Champagne Meeting Room at the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts, and was continued to March 13, 2012, and then immediately continued, with no testimony taken, to March 27, 2012, at the same location. The Planning Board closed the public hearing on March 27, 2012.
6. Westwood Planning Board members Steven M. Rafsky, Steven H. Olanoff, John J. Wiggin and Bruce H. Montgomery were present for all of the public hearing sessions and deliberated on the Application at a duly authorized meeting on March 27, 2012.

#### **PROJECT FINDINGS:**

1. The subject property consists of approximately 0.44 acres, located at 668 High Street and is currently shown as a portion of Map 14, Lot 79 on the Westwood Board of Assessors' Map, and will be shown as Map 14, Lot 181 beginning January 1, 2013 (hereinafter "Project Site" or "Property").
2. The Applicant proposes to relocate the historic Colburn School Building to the site of the old Westwood Public Library at 668 High Street, following the completion of construction of the new Library at 660 High Street. The Applicant intends to rehabilitate and reuse this historic structure to accommodate a bank with drive-through service on the first floor, and residential units on the second and third floors. The Applicant proposes to construct an addition to accommodate the drive-through service, and provide additional floor area for the residential units above.
3. The Project Site is located within the Local Business A (LBA) zoning district, and is within the Upper Story Residential Overlay District (USROD). The proposed uses are permitted upon the issuance of a USROD Special Permit pursuant to Section 9.7 of the Westwood Zoning Bylaw.
4. The Project, as modified by the conditions of this decision, is consistent with all applicable standards under Sections 9.7.7 and 7.3.7 [Environmental Impact and Design Standards] of the Westwood Zoning Bylaw.
5. The proposed alterations and addition to the Colburn School Building, as modified by the conditions of this decision, are consistent with the historic architectural character of that building, and are harmoniously related to nearby structures.
6. The proposed parking arrangement, as modified by the conditions of this decision, is sufficient to meet the needs of the development.
7. The beneficial effects of the Project, as modified by the conditions of this decision, will outweigh any adverse impacts on the Town or the neighborhood, and the proposed uses are in harmony with the general purpose and intent of this Section.

#### **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. Section 7.3.6.3 of the Westwood Zoning Bylaw requiring submission of a full traffic study shall be waived and the Applicant's submission of a traffic impact assessment shall be accepted. The

Planning Board finds that the traffic impact assessment provides sufficient information on which to base a decision. The Planning Board finds that this waiver is consistent with the intent of the Zoning Bylaw.

2. Section 7.3.6.5 of the Westwood Zoning Bylaw requiring submission of photographs shall be waived. The Planning Board finds that the submitted plans and elevations sufficiently detail the proposed alterations, and no photographs are necessary. The Planning Board finds that this waiver is consistent with the intent of the Zoning Bylaw.
3. Section 7.3.6.7 of the Westwood Zoning Bylaw requiring submission of a model shall be waived. The Planning Board finds that the submitted plans sufficiently detail the proposed alterations, and no model is necessary. The Planning Board finds that this waiver is consistent with the intent of the 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. Section 6.1.17 requirements for parking lot landscaping shall be reduced to permit landscaping as shown on the submitted plan and as conditioned herein. The Planning Board finds that the proposed and existing vegetation on the Property is sufficient. The Planning Board finds that this waiver is consistent with the intent of the Zoning Bylaw.

### **DECISION**

The Planning Board, by a vote of four (4) in favor and none (0) opposed, hereby **grants** a USROD Special Permit pursuant to Section 9.7 of the Westwood Zoning Bylaw for the Project as described above and in the application therefor dated January 19, 2012 and filed in the office of the Town Clerk on January 19, 2012, subject to the conditions stated herein:

### **CONDITIONS OF APPROVAL**

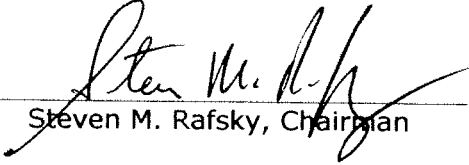
The foregoing approval is issued to the Applicants for the aforementioned project in accordance with the terms and conditions set forth below, all of which are an integral part hereof:


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 Applicants shall pursue completion of the project with reasonable diligence and continuity.
2. Any change in the use of the property to other than the proposed first floor bank use and upper story residential use shall necessitate a modification to this USROD Special Permit. In such case, the Applicant shall submit revised plans for the Planning Board's review and determination pursuant to Section 9.7 of the Town of Zoning Bylaw.
3. The Applicant shall construct and maintain seventeen (17) on-site parking spaces as shown on the approved plans, and shall fund the construction of at least eight (8) of the twelve (12) parking spaces approved under the Planning Board's March 27th decision for the expansion of the Library parking lot. The Applicant shall enter into an easement agreement with the Town of Westwood for the use of Library parking spaces by residents, customers, and employees of the Colburn School Building.
4. Where exterior lighting fixtures are installed throughout the Project Site, such fixtures shall incorporate light poles and lamps which are identical in design to those used throughout the Library parking lot.

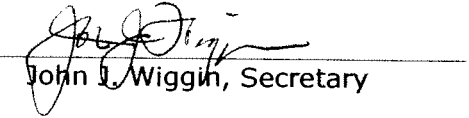
5. The Applicant shall revise the landscape plan to maintain the existing 26" and 18" diameter trees between the proposed building and High Street. Said revised plan shall show all proposed new trees and shrubs in conformance with the minimum requirements for landscape materials specified in Section 6.17.3 of the Zoning Bylaw. The Applicant shall submit the revised landscape plan for approval by the Town Planner.
6. The Applicant shall redesign and/or relocate the proposed drainage infiltration system to avoid damage to the root system for the existing 26" and 18" diameter trees between the proposed building and High Street. The Applicant shall submit revised drainage plans for approval by the Town Engineer.
7. The Applicant shall ensure that the location, design and construction of the Project shall remove or damage the fewest possible number of trees. Every effort shall be made to protect the roots of existing trees shown on plans to remain. Throughout the period of construction, protective 2 by 4 wood fencing shall be placed around the trunks of all trees shown on plans to remain. Any new or existing trees or shrubs which are determined by the Town Planner to be dead or dying within two (2) years of the completion of construction shall be replaced by the Applicant with new trees or shrubs of comparable size and species.
8. The Applicant may develop the Project with or without the proposed spire, but shall not incorporate any wireless communication facility within the structure without first obtaining a Wireless Communication Overlay District (WCOD) Special Permit for the same from the Planning Board pursuant to Section 9.4 of the Town of Westwood Zoning Bylaw. If the Applicant elects to add the proposed spire to the Colburn School Building, the new spire shall be designed to reflect the architectural features, ornamentation, and scale of the spire which had been attached to the Colburn School Building prior to 1938, as shown in photographs attached to the March 13, 2012 letter from Peter Paravalos to the Zoning Board of Appeals.
9. The Applicant shall employ a four-color or five-color exterior painting scheme which is appropriate to the architectural style of the historic Colburn School Building.
10. Prior to demolition of the existing Old Library Building, the Applicant shall hire a pest control company to inspect the building for rodents and/or wildlife and to exterminate if necessary. The Applicant shall provide a copy of the invoice and the inspection report to the Health Department prior to demolition of said building.
11. The Applicant shall ensure that the company providing a construction dumpster and/or a portable toilet are licensed by the Westwood Board of Health.
12. The Applicant shall ensure that the permanent trash dumpster adheres to the "Westwood Board of Health Rules and Regulations Governing the Use of Dumpsters".
13. The Applicant shall obtain all necessary variances from the Zoning Board of Appeals.

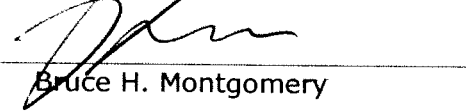
**RECORD OF VOTE**

The following members of the Planning Board voted to **grant** a Special Permit pursuant to Section 9.7 [Upper Story Residential Overlay District] of the Westwood Zoning Bylaw for the abovementioned Application, subject to the Conditions stated above:

  
Steven M. Rafsky, Chairman

  
Steven H. Ofanoff, Vice Chairman

  
John L. Wiggin, Secretary

  
Bruce H. Montgomery

The following members of the Planning Board voted to **deny** a Special Permit pursuant to Section 9.7 [Upper Story Residential Overlay District] of the Westwood Zoning Bylaw for the abovementioned Application.

None

Date of Decision: March 27, 2012