

TOWN OF WESTWOOD

Commonwealth of Massachusetts

Robert C. Malster, Chairman
Steven H. Olanoff, Vice Chairman
Robert E. Moore, Jr., Secretary
Bruce H. Montgomery
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2007 NOV 19 A 9:31

TOWN CLERK
TOWN OF WESTWOOD

PLANNING BOARD

DECISION OF THE PLANNING BOARD OF THE TOWN OF WESTWOOD

APPLICANT /OWNER:

Mr. Antione Nakhle
183 Morse Street
Sharon, MA 02067

PROPERTY LOCUS:

100 High Street
Town of Westwood Assessors' Map 6, Parcel 19

PUBLIC 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 November 15, 2007 in the Champagne Meeting Room in the Carby Street Municipal Office Building, 50 Carby Street, Westwood, Massachusetts 02090 to consider the request of Mr. Antione Nakhle to modify an approved site plan pursuant to the provisions of Section 7.3 [Environmental Impact and Design Review] of the Westwood Zoning Bylaw.

PROJECT SUMMARY

The Planning Board approved an Environmental Impact and Design Review application to convert a 6,000 square foot building located at 100 High Street from its current residential use into a commercial office building. The approved application dated August 14, 2007 provided for a 26-space landscaped parking lot to accommodate the new commercial use. The property is located in the Administrative-Research-Office (ARO) zoning district. An office building is an allowed use in this district.

The Proponent has requested a modification to the approved site plan to eliminate the ten spaces in the upper parking area and instead create a new nine-space parking area immediately adjacent to old layout of Route 109, which serves as the property's driveway. A retaining wall will also be relocated approximately 15 feet southerly from its formerly approved location to accommodate the new parking configuration. The modifications will result in a net loss of one parking space on the property.

DECISION OF THE WESTWOOD PLANNING BOARD

The Planning Board, by a vote of four in favor and one abstention, hereby submits its Environmental Impact and Design Review modification **approval** pursuant to Section 7.3 of the Westwood Zoning Bylaw for the Project as described above and in the application therefor dated April 5, 2007 and subsequent revisions, and the following related submissions filed with the Planning Board by or on behalf of Mr. Antione Nakhle:

1. Plan entitled "Proposed Parking Lot Site Plan 100 High Street Westwood, MA", dated March 29, 2007 and revised through June 22, 2007, prepared by The DeCelle Group, LLC, 149 Independence Avenue, Quincy, MA 02169 consisting of the following five (5) sheets:
 - Sheet 1 entitled "Proposed Parking Lot Site Plan 100 High Street Westwood, MA" [Cover Sheet], dated March 29, 2007 and revised through June 22, 2007;
 - Sheet 2 entitled "Site Plan in Westwood, MA [Existing Conditions]", dated March 29, 2007 and revised through June 22, 2007;
 - Sheet 3 entitled "Proposed Amended Site Plan in Westwood, MA [Proposed Site Plan]", dated October 8, 2007;**
 - Sheet 4 entitled "Site Plan in Westwood, MA [Details]", dated March 29, 2007 and revised through June 22, 2007;
 - Sheet 5 entitled "Site Plan in Westwood, MA [Landscape Plan]", dated March 29, 2007 and revised through June 22, 2007.
2. Report entitled "Stormwater Management Plan for a Proposed Parking Lot at 100 High Street in Westwood, Massachusetts", dated March 29, 2007, prepared by The De and revised through June 22, 2007, prepared by The DeCelle Group, LLC, 149 Independence Avenue, Quincy, MA 02169 consisting of the following five (5) sheets:
3. Plan entitled "Proposed Parking Lot Site Plan 100 High Street Westwood, MA", dated March 29, 2007 and revised through June 22, 2007, prepared by The DeCelle Group, 149 Independence Avenue, Quincy, MA 02169, prepared for Tony Nakhle, 183 Morse Street, Sharon, MA 02067 and consisting of the following sections: Project Narrative, On-Site Stormwater Analysis & Methodology; Section 2: Supplemental Information, Abutters List; USGS Map, Soils Map, Natural Heritage Map, FEMA Flood Map; Section 3: Stormwater Analysis Data Sheets (Existing Conditions and Proposed Conditions for 2, 10, 25 & 100 Year); and Section 4: Watershed Plans.
4. Memorandum to Diane Beecham, Town Planner from Sergeant Paul R. Sicard, Re: 100 High Street, dated May 14, 2007;
5. Memorandum to Diane Beecham, Town Planner from Linda R. Shea, REHS/RS, Re: Site Plan Review-100 High Street-Construction of a Parking Lot and Change of Use of a Residential Building to a Commercial Use, dated May 22, 2007;
6. Memorandum to Planning Board from Joe Doyle, Building Inspector, Re: 100 High Street, dated May 25, 2007;
7. Memorandum to Westwood Planning Board, Attention: Mr. Robert Malster, Chairman, from Christopher Gallagher, Assistant Town Engineer and John R. Bertorelli, P.E., P.L.S., Town Engineer, Re: Proposed Parking Lot - 100 High Street, dated May 24, 2007;


8. Memorandum to Westwood Planning Board, from James W. Burke, P.E., Principal, The DeCelle Group, LLC, 149 Independence Avenue, Quincy, MA 02169, Re: Proposed Parking Lot, 100 High Street, dated June 22, 2007 [Responses to comments letters and other revisions];
9. Memorandum to Westwood Planning Board, Attention: Mr. Robert Malster, Chairman, from Christopher Gallagher, Assistant Town Engineer and John R. Bertorelli, P.E., P.L.S., Town Engineer, Re: Proposed Parking Lot - 100 High Street, dated June 26, 2007;
10. Memorandum to Westwood Planning Board c/o Ms. Diane Beecham, Town Planner, Re: 100 High Street Westwood, MA. - Proposed Project, from Traffic Solutions, LLC, Two Center Plaza, Suite 700, Boston, MA 02108, dated June 26, 2007.

CONDITIONS

The foregoing modification 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 final Project Plans in all respects, and the Applicant shall pursue completion of the Project with reasonable diligence and continuity.
2. The landscaping that was originally approved for the area that will now be used for parking shall instead be located to the area in which the parking has been eliminated. The remaining area of the eliminated parking area shall also be loamed and seeded.
3. To the fullest extent possible, the 24-inch pine tree located in the eliminated upper parking area shall be retained.
4. The handicap accessibility of the two building entrances shall be reviewed and approved by the Building Commissioner at the time of the application for a building permit.
5. The Dumpster shall be screened according to Board of Health Dumpster Regulations and if applicable, Section 6.3.5 of the Zoning Bylaw [Uses Requiring Screening].
6. The inactive cesspool shall be properly abandoned in accordance with 310 CMR 15.000 of the State Environmental Code. The Applicant shall present documentation of this abandonment to the Health Director prior to the start of construction.
7. The limit of construction and clearing shall be clearly staked or flagged prior to any site disturbance work. The Town Engineer shall be notified of this flagging, for his review and approval.
8. During the construction period, all necessary steps shall be taken to protect the vegetation and trees outside the limits of construction from construction vehicles, equipment, materials and the like. Appropriate erosion and sedimentation controls shall be utilized during all phases of construction.

9. The clean up of construction debris, including the tracking of dirt by construction vehicles, shall be conducted on a daily basis on Lowder Brook Drive and Route 109/High Street.
10. The Project Plans shall include a reference to this Decision and its date of approval.
11. The Applicant shall notify the Town Engineer at least two business days in advance of any on-site drainage system, sewer or water utility work.
12. The Applicant shall obtain all required permits, licenses or other approvals from any other Town board, commission or agency or other State and Federal regulatory agency, which may include, but not be limited to, the Board of Health, Conservation Commission, Zoning Board of Appeals, Massachusetts Department of Highways and the Massachusetts Department of Environmental Protection. The Earth Material Movement special permit pursuant to Section 7.1 of the Zoning Bylaw is an additional special permit that may be required.
13. The Applicant shall provide three (3) certified copies of an "As Built" Site Development Plan. Certification shall be by a Registered Professional Engineer and/or Land Surveyor, as required, and shall indicate that all infrastructure has been constructed in accordance with said Project Plans and are accurately located as shown thereon. The "As Built" plan shall be delivered to the Board in a digital format compatible with the Town's current Geographic Information System (GIS).
14. A copy of this Decision and the final Project Plans shall be kept on the Project Site at all times.
15. The modified Environmental Impact and Design Review Approval shall take effect immediately upon its issuance to the Building Commissioner.
16. The modified Environmental Impact and Design Review Approval shall lapse within a specified period of time, not more than two (2) years, which shall not include such time required to pursue or await the determination of an appeal referred to in Chapter 40A § 17, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun within the specified period of time except for good cause. Prior to the expiration of the Environmental Impact and Design Review Approval, the Applicant may apply for an extension of the Environmental Impact and Design Review Approval for a period not to exceed one (1) year if the substantial construction or use thereof has not commenced for good cause.


Diane Beecham
Town Planner

November 16, 2007
Date